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# ILLINOIS REGISTER

## Rules of Governmental Agencies

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## INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1985, ch. 127, pars. 1001 et seq., as amended).

## REGISTER PUBLICATION SCHEDULE 1989

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 20, 1988	Dec. 27, 1988	1	Jan. 6, 1989	June 27, 1989	July 3, 1989 (Mon.)	28	July 14, 1989
Dec. 27, 1988	Jan. 3, 1989	2	Jan. 13, 1989	July 3, 1989 (Mon.)	July 11, 1989	29	July 21, 1989
Jan. 3, 1989	Jan. 10, 1989	3	Jan. 20, 1989	July 11, 1989	July 18, 1989	30	July 28, 1989
Jan. 10, 1989	Jan. 17, 1989	4	Jan. 27, 1989	July 18, 1989	July 25, 1989	31	Aug. 4, 1989
Jan. 17, 1989	Jan. 24, 1989	5	Feb. 3, 1989	July 25, 1989	Aug. 1, 1989	32	Aug. 11, 1989
Jan. 24, 1989	Jan. 31, 1989	6	Feb. 10, 1989	Aug. 1, 1989	Aug. 8, 1989	33	Aug. 18, 1989
Jan. 31, 1989	Feb. 7, 1989	7	Feb. 17, 1989	Aug. 8, 1989	Aug. 15, 1989	34	Aug. 25, 1989
Feb. 7, 1989	Feb. 14, 1989	8	Feb. 24, 1989	Aug. 15, 1989	Aug. 22, 1989	35	Sept. 1, 1989
Feb. 14, 1989	Feb. 21, 1989	9	Mar. 3, 1989	Aug. 22, 1989	Aug. 29, 1989	36	Sept. 8, 1989
Feb. 21, 1989	Feb. 28, 1989	10	Mar. 10, 1989	Aug. 29, 1989	Sept. 5, 1989	37	Sept. 15, 1989
Feb. 28, 1989	Mar. 7, 1989	11	Mar. 17, 1989	Sept. 5, 1989	Sept. 12, 1989	38	Sept. 22, 1989
Mar. 7, 1989	Mar. 14, 1989	12	Mar. 24, 1989	Sept. 12, 1989	Sept. 19, 1989	39	Sept. 29, 1989
Mar. 14, 1989	Mar. 21, 1989	13	Mar. 31, 1989	Sept. 19, 1989	Sept. 26, 1989	40	Oct. 6, 1989
Mar. 21, 1989	Mar. 28, 1989	14	Apr. 7, 1989	Sept. 26, 1989	Oct. 3, 1989	41	Oct. 13, 1989
Mar. 28, 1989	Apr. 4, 1989	15	Apr. 14, 1989	Oct. 3, 1989	Oct. 10, 1989	42	Oct. 20, 1989
Apr. 4, 1989	Apr. 11, 1989	16	Apr. 21, 1989	Oct. 10, 1989	Oct. 17, 1989	43	Oct. 27, 1989
Apr. 11, 1989	Apr. 18, 1989	17	Apr. 28, 1989	Oct. 17, 1989	Oct. 24, 1989	44	Nov. 3, 1989
Apr. 18, 1989	Apr. 25, 1989	18	May 5, 1989	Oct. 24, 1989	Oct. 31, 1989	45	Nov. 13, 1989 (Mon.)
Apr. 25, 1989	May 2, 1989	19	May 12, 1989	Oct. 31, 1989	Nov. 7, 1989	46	Nov. 17, 1989
May 2, 1989	May 9, 1989	20	May 19, 1989	Nov. 7, 1989	Nov. 14, 1989	47	Nov. 27, 1989 (Mon.)
May 9, 1989	May 16, 1989	21	May 26, 1989	Nov. 14, 1989	Nov. 21, 1989	48	Dec. 1, 1989
May 16, 1989	May 23, 1989	22	June 2, 1989	Nov. 21, 1989	Nov. 28, 1989	49	Dec. 8, 1989
May 23, 1989	May 30, 1989	23	June 9, 1989	Nov. 28, 1989	Dec. 5, 1989	50	Dec. 15, 1989
May 30, 1989	June 6, 1989	24	June 16, 1989	Dec. 5, 1989	Dec. 12, 1989	51	Dec. 22, 1989
June 6, 1989	June 13, 1989	25	June 23, 1989	Dec. 12, 1989	Dec. 19, 1989	52	Dec. 29, 1989
June 13, 1989	June 20, 1989	26	June 30, 1989	Dec. 19, 1989	Dec. 26, 1989	1	Jan. 5, 1990
June 20, 1989	June 27, 1989	27	July 7, 1989	Dec. 26, 1989	Jan. 2, 1990	2	Jan. 12, 1990

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).





## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: State Vehicles and Garage

2) Code Citation: 44 Ill. Adm. Code 5040

3) Section Number: Proposed Action:

5040.590 Repealed

4) Statutory Authority: Ill. Rev. Stat. ch. 127, pars. 63b13.15, 63b13.16

5) A Complete Description of the Subjects and Issues Involved:

This section requires that agencies submit monthly cost reports to CMS. CMS no longer requires these reports and the rule is being repealed to reflect the changed need.

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed repealer contain incorporations by reference? No.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: Rulemaking does not affect units of local government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Ben Bagby  
Department of Central Management Services  
720 Stratton Building  
Springfield, Illinois 62706  
(217) 782-9669

12) Initial Regulatory Flexibility Analysis: Does not apply to small businesses.

The full text of the Proposed Repealer begins on the next page:

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND PROPERTY MANAGEMENT

SUBTITLE D: PROPERTY MANAGEMENT

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## PART 5040

## STATE VEHICLES AND GARAGE

## SUBPART A: GENERAL

Section	Authority
5040.100	Policy
5040.110	Applicability
5040.120	Definitions
5040.130	

## SUBPART B: ACQUISITION

Section	Acquisition of Vehicles
5040.200	Fuel Economy Standards
5040.210	Availability of Vehicles
5040.220	Agency Purchase
5040.230	Motor Pool Lease or Rental
5040.240	Private Firm Lease or Rental
5040.250	Use of Personal Vehicles on State Business
5040.260	Requests for Acquisition of Vehicles
5040.270	

## SUBPART C: USE OF VEHICLES

Section	Use of Vehicles
5040.300	Title and Registration
5040.310	License Plates
5040.320	Identification of Vehicles
5040.330	Assignment to Individuals
5040.340	Off-Duty Usage
5040.350	Use and Condition Review
5040.360	Exceptions to Use Rules
5040.370	Motor Pool
5040.380	

## SUBPART D: MAINTENANCE

Section	Maintenance of Vehicles
5040.400	Scheduled Inspection and Maintenance
5040.410	DCMS Garages
5040.420	Warranty Work
5040.430	



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

## SUBPART E: MISCELLANEOUS

Section	Driver Requirements
5040.500	Insurance
5040.510	Accidents Report Procedures
5040.520	Tickets
5040.530	Credit Card
5040.540	Gasoline Purchase
5040.550	Charges
5040.560	Payment of Charges
5040.570	Credits
5040.580	Cost Information
5040.590	Designation of Vehicle Coordinator
5040.600	DCMS Annual Statement
5040.610	Required Forms and Information
5040.620	Agency Signature Authority
5040.630	Rate Schedule
5040.700	

AUTHORITY: Implementing Sections 67.15, 67.16 and 67.22 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1983, ch. 127, pars. 63b13.15, 63b13.16 and 63b13.22) Sections 1 and 2 of "AN ACT to require state agencies and state colleges and universities to purchase or lease passenger automobiles complying with minimum gas mileage standards" (Ill. Rev. Stat. 1983, ch. 127, pars. 132.501 and 132.502) and Sections 1 and 2 of "AN ACT relating to identification and use of motor vehicles of the State" (Ill. Rev. Stat. 1983, ch. 127, pars. 133e1 and 133e2) and authorized by Section 67.15 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1983, ch. 127, par. 63b13.15).

SOURCE: Adopted at 4 Ill. Reg. 28, p. 173, effective July 1, 1980; amended at 4 Ill. Reg. 30, p. 1225, effective July 1, 1980, by the Department of Administrative Services; transferred to the Department of Central Management Services by Executive Order 82-1, effective July 1, 1982; amended at 7 Ill. Reg. 2483, effective March 1, 1983; codified at 8 Ill. Reg. 8180; amended at 9 Ill. Reg. 13720, effective August 21, 1985; amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 5040.590 Cost Information (Repealed)

Using agencies are required to submit monthly cost information for each vehicle under their control to DCMS by the 19th of each month for the previous month on forms provided by DCMS entitled "Monthly Automotive Cost Report" and numbered "BY-567" in the Monthly Cost Report Book or by other mutually agreeable methods. If cost information appears to be incorrect the report shall be returned to the agency with possible problems noted. Corrections are requested within five working days of receipt of the problem notation.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

(Source: Repealed at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: State Administration of the Federal Community Services Block Grant Program
- 2) Code Citation: 47 Ill. Adm. Code 120
- 3) Section Number: 120.115  
Proposed Action: Amendment
- 4) Statutory Authority: Implementing Sections 4(b)(1),(2), and (14) of the Illinois Economic Opportunity Act (Ill. Rev. Stat. 1987, ch. 127, pars. 2604 (b)(1), (2), and (14)) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.42).

5) A Complete Description of the Subjects and Issues Involved: This rulemaking has been initiated to fulfill an agreement reached with the Joint Committee on Administrative Rules during a previous departmental rulemaking. Amended language in Section 120.115(e)(5) specifies default provisions governing hiring and payroll which must be included in loan contracts between grantees and their borrowers under the CSBG Loan Program. A typographical error has been corrected in Section 120.115(j)(2)(N).

6) Will these proposed amendments replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporations by reference? No.

9) Are there any proposed amendments pending on this Part? Yes.

Section Numbers: Proposed Action: Illinois Register Citation:

120.80	Amendment	February 3, 1989
		13 Ill. Reg. 1311
120.100	Amendment	February 3, 1989
		13 Ill. Reg. 1311

10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1987, ch. 85, par. 2203).

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after this edition of the Illinois Register to the following:

Mr. Dennis R. Whetstone, Deputy Director

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF PROPOSED AMENDMENTS

Department of Commerce and Community Affairs  
Bureau of Program Administration  
620 East Adams Street, 5th floor  
Springfield, Illinois 62701  
(217) 782-6136

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 21, 1989.
- B) Types of small businesses and small municipalities affected: This rulemaking does not directly affect small businesses or small municipalities.
- C) Reporting, bookkeeping or other procedures required for compliance: This rulemaking specifies what default provisions grantees must include in their loan contracts with borrowers under the CSBG Loan Program.
- D) Types of professional skills necessary for compliance: No special skills are necessary for compliance.

The full text of the Proposed Amendments begins on the next page:



DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT  
CHAPTER 1: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

PART 120  
STATE ADMINISTRATION OF THE FEDERAL COMMUNITY SERVICES  
BLOCK GRANT PROGRAM

Section	
120.10	Legislative Base
120.20	Purpose and Scope
120.30	Definitions
120.40	Allocation
120.50	Grant Application Requirements
120.55	Grantee Termination
120.60	Grantee Selection
120.70	Required Board Structure
120.80	Administrative Requirements
120.90	Nondiscrimination
120.100	Complaint Process
120.110	Program Types-Description
120.115	CSBG Loan Programs
120.120	Eligibility Requirements
120.130	Limitations on Use of CSBG Funds
120.140	Incorporation by Reference

AUTHORITY: Implementing the Illinois Economic Opportunity Act (Ill. Rev. Stat. 1987, ch. 127, pars. 2601 et seq.) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.42).

SOURCE: Adopted and codified at 7 Ill. Reg. 2934, effective March 9, 1983, amended at 8 Ill. Reg. 6023, effective April 20, 1984; amended at 9 Ill. Reg. 10692, effective June 28, 1985; amended at 9 Ill. Reg. 18130, effective November 12, 1985; amended at 10 Ill. Reg. 8666, effective May 13, 1986; amended at 10 Ill. Reg. 8976, effective May 13, 1986; amended at 10 Ill. Reg. 21051, effective December 8, 1986; amended at 11 Ill. Reg. 5926, effective March 19, 1987; amended at 11 Ill. Reg. 7937, effective April 20, 1987; amended at 12 Ill. Reg. 751, effective December 28, 1987; amended at 12 Ill. Reg. 17311, effective October 17, 1988; amended at 13 Ill. Reg. 779, effective January 4, 1989; amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

Section 120.115 CSBG Loan Programs

- a) Loan Types
- 1) Fixed Rate Financing Fund Loan
- A) CSBG funds are loaned through Grantees to an Illinois

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NOTICE OF PROPOSED AMENDMENTS

business in a separate but companion agreement to a conventional loan.

- B) The combined loans must exceed \$75,000.
- C) The CSBG loan represents no less than ten percent (10%) and no more than twenty percent (20%) of the combined borrowing.
- D) The conventional loan is obtained from a licensed Illinois lending institution. The Small Business Administration guarantees up to 90% of the private lending institution's loan through its 7(a) Guaranteed Loan Program (15 U.S.C. 636(a)). The lending institution may sell the guarantee, called a "guaranteed interest certificate" into the secondary money market at a fixed interest rate that is one-half to one percent above Treasury bonds of the same maturity.
- E) The CSBG loan term may not exceed 10 years and has a fixed interest rate of no more than five percent (5%).
- F) The conventional and CSBG loan closings must be within 60 days of each other.
- 2) CSBG Revolving Loan
- A) CSBG funds are loaned through Grantees to an Illinois business in a separate but companion agreement to a conventional loan.
- B) The CSBG loan represents no more than forty-nine percent (49%) of the combined borrowing.
- C) The conventional loan is obtained from a licensed Illinois lending institution.
- D) The CSBG loan term may not exceed 10 years but may be for a shorter term at the discretion of the Grantee. The CSBG loan will have a fixed interest rate of no more than five percent (5%).
- E) The conventional and CSBG loan closings must be within 60 days of each other.
- b) Hiring and Job Retention



## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF PROPOSED AMENDMENTS

- 1) Establishing a Pre-Loan Base Number of Employees -- The Grantee shall review the borrower's employment verification records at the time of the loan closing to establish the pre-loan employment level in order to assure that no personnel cuts were made by the business in anticipation of the pending loan and its hiring requirements.

## 2) Hiring Requirements

- A) Businesses accepting CSBG loan funds must hire at least one new (CSBG eligible in accordance with Section 120.120) employee for each \$5,000 or any portion thereof of CSBG monies borrowed.

Example:	\$ 1-\$ 5,000	Minimum
	\$ 5,001-\$10,000	1 Job
	\$10,001-\$15,000	2 Jobs
		3 Jobs

- B) A hiring schedule must be a part of each loan agreement. The required hiring must be completed within the first 24 months of the loan, with at least 50% of the new employees hired in the first 12 month period. (For purposes of this hiring timeframe, the loan is considered consummated the date the borrower first receives the loan funds.)

- C) The job positions for CSBG eligible clients created by the loan must be retained and filled by an eligible client for at least 24 months from the date the job was first created. Grantees should attempt to retain the availability of the loan created jobs for CSBG eligible clients over the full loan term by maintaining professional contact (e.g., Job Training Partnership Act job referrals, Targeted Jobs Tax Credit Program) with the business and tracking the jobs. Grantees, through their individual loan agreements, may negotiate more restrictive hiring requirements than stated in subsection (2).

## c) Loan Fund Use

CSBG funds loaned may only be used to purchase machinery, equipment or inventory or to provide working capital. CSBG loans may not be used to purchase or improve real property (per Section 120.130 of this Part).

## d) Loan Security

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF PROPOSED AMENDMENTS

Provisions (collateral) shall be made for first position on loan security. If first position is impossible because of the primary lender's claims, the Grantee should negotiate shared position with the private lender. Subordinate position for loan security should be the CAA's last resort. Loan agreements shall contain precise listings and assignment of collateral established as security for the loan.

## e) Loan Contract Provisions

Each Grantee's loan contract with a borrower shall clearly, and in detail, specify the following:

- 1) Employment Plan (consisting of mechanism to assure CSBG client eligibility, timeframes, job descriptions);
  - 2) Payment Schedule;
  - 3) Interest Rate Charged;
  - 4) Late Payment Penalty Provision (optional);
  - 5) Default Provisions (Hiring and Payback; i.e.: minimum hiring provisions may not extend beyond 24 months, and no more than 90 days payment arrears);
  - 6) Loan Security Provision;
  - 7) Collateral Description;
  - 8) Prepayment Provisions (optional);
  - 9) Hiring Schedule;
  - 10) Use of Loan (Machinery, Working Capital, Equipment);
  - 11) Hiring Noncompliance Penalty (optional);
  - 12) Other documentation necessary to assure compliance (e.g., hiring reports); and
  - 13) Primary lender - amount - term - interest - collateral.
- f) Loan Payment Provisions
- 1) The interest rate for the CSBG loan shall have a fixed rate not to exceed 5%.
  - 2) Payment Schedules



## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF PROPOSED AMENDMENTS

- A) Payments shall include principal and interest calculated in accordance with standard loan tables.
- B) Loan payments shall not be deferred.
- C) Grantees, through their individual loan agreements, shall impose a late payment penalty of not less than five percent (5%) of any monthly installment not received from the borrower within fifteen (15) days after the installment is due.
- g) Loan Approval Process for Loans Under Current Grants
- 1) All Grantee CSBG funded loans must be submitted to the Department for approval. The Department's review and determination to approve or disapprove the loan will be given in writing within twenty (20) working days of receipt of the loan documents.
  - 2) The loan application documents to be submitted and upon which the decision of the Department will be based, consist of:
    - A) The loan agreement containing all provisions in compliance with this Part.
    - B) Application documents:
      - i) History of the Company - a brief history of the business and past employment growth.
      - ii) Market Information - information on the company's products or services and identification of existing and potential major customers and competitors.
      - iii) Corporate Financial Statements - historical corporate financial statements for the past three years and interim statements dated no more than ninety days prior to application including: Profit and Loss Statements, Balance Sheets, Cash Flow Statements, and Disclosure of Contingent Liabilities.
      - iv) Three Year Projections - three year projections of the Profit and Loss Statement and Balance Sheet and a one year Monthly Cash Flow Projection.

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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- v) Description of Machinery and Equipment (if applicable) - major equipment or classes of equipment to be acquired with the Department's program funds identified; for acquisition of new machinery and equipment, attachments of reliable vendor cost estimates; for moving and installation costs, attachments of written estimates; for used machinery and equipment acquisition, an independent appraisal demonstrating that the fair market value is in line with the purchase price.
- vi) Description of Working Capital (if applicable) - a detailed explanation of the need for and use of funds.
- vii) Company Management - a listing of those people that are responsible for the management of the company, their positions, and percentages of ownership.
- viii) Personal Resumé(s) - a resumé for senior staff at the proposed project site.
- ix) Personal Financial Statement - a personal financial statement(s) for each principal owning more than 20 percent of the company.
- x) Letters of Commitment - commitment letters documenting all sources of leveraging; loans from financial institutions must have language indicating the loan amount, the specified term and interest, collateral, conditions attendant to the loan, and the fact that the loan is approved; any commitment to purchase a revenue bond must have an executed inducement resolution and the rates, terms, and conditions of approval by the buyer.
- 3) Financial Evaluation Component - The applicant's financial statements, including annual balance sheets and profit and loss statements for the past three years as well as the most recent ninety days; a three year projected balance sheet and profit and loss statement as well as a one year monthly cash flow statement will be reviewed through a standard credit analysis (as prescribed in the Business Credit Analysis Textbook, 1985, published by the National Development Council) which will determine the: liquidity and debt coverage for the project; ability of the company



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to manage debt; business trends, and projected earnings. This data will be compared to similar data for companies in the same industry using "Robert Morris Associates Annual Statement Studies" (1987) if such industry is evaluated by this source. This standard credit analysis will determine the financial stability of the company. Determination of the loan approval will also be based on compliance with Sections 9.4 (a), (d), (e), and (f) of the Small Business Development Act (Ill. Rev. Stat. 1987, ch. 127, pars. 2709-4 (a), (d), (e), and (f)).

## h) Loan Approval Process for Recaptured Loan Funds

- 1) All Grantee loans utilizing repaid principal from previous CSBG loans (recaptured loan funds) must be submitted to the Department for approval.
- 2) The Grantee may, at its option, request the Department to review the complete loan application. When this request occurs, the documents upon which the Department will judge its approval or disapproval and the process for this determination will be in accordance with subsection (g) of this Part.
- 3) If the Grantee chooses to conduct its own loan review, the loan document to be submitted and upon which the decision of the Department will be based is the "Pre-Loan Closing Form" which includes the following information:

- A) Grantee Agency name, address and date of submittal;
- B) Name and address of borrowing business;
- C) Loan period;
- D) Interest rate;
- E) Hiring schedule;
- F) Loan use;
- G) Collateral description and position;
- H) Primary lender, amount, and term; and
- I) Signature of submitting officials.

- 4) The approval, or disapproval of the Department will be based on the loan period, interest rate, hiring schedule,

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF PROPOSED AMENDMENTS

loan use, collateral description and position, and primary lender amount being in compliance with this Part. The "Pre-Loan Closing Form" will have an Approval/Disapproval check box with an explanation section for disapproved submittals and a signature line for the Department's reviewer. This document, with the Department's determination and signature, will be returned to the Grantee within 10 working days of its receipt.

## i) Loan Fund Recovery/Re-Use/Disposition/Reversionary Right

## 1) Recovery

The repaid loan principal is considered by the Department to be a Community Services Block Grant-related asset, held in trust by the Grantee. The Grantee must place the repaid loan principal in a corporate revolving loan account to continue business assistance efforts in compliance with this Part. This continuation requirement shall be perpetually binding on the Grantee, its successors and assignees until such time as the Department formally negotiates with the agency other CSBG related uses for the recovered loan principal. The interest earned on the CSBG supported business loans is not required to be a part of the perpetuation of the loan program nor subject to the provisions of the Illinois Grant Funds Recovery Act (Ill. Rev. Stat. 1987, ch. 127, pars. 2301 et seq., as amended by P.A. 85-1214, effective August 30, 1988) and may be used for any corporate purpose.

## 2) Re-Use

Recaptured principal amounts will be reported quarterly to the Department. The Grantee shall actively pursue new business start up or expansion loan opportunities for the recaptured principal (written record of loan attempt activity). When it is found by the Department that recaptured principal has accrued to the lesser of \$40,000 or 75% (minimum amount \$5,000) of the amount loaned by the Grantee in any grant year (lapsed principal), the Department will notify the Grantee in writing at 30 days and 45 days from the date of the finding, that it must commit the lapsed principal to loans or lose it. Sixty days after the initial finding, the Department shall require the Grantee to forward, within 30 days of the notice, a check for the specific amount of lapsed principal to another Grantee or Grantees who have notified the Department of lack of funds for pending CSBG loans.



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## 3) Disposition

The Grantee may not sell, transfer or in any way dispose of the CSBG funded loans.

## 4) Reversionary Right

In the event of Grantee termination of funding (as specified in Section 120.55 of this Part) the Grantee's repaid principal loan balance and all current loans shall revert to the Department for transfer to the successor (Section 120.60 of this Part) agency.

## j) Reporting/Monitoring/Recordkeeping

1) The grantee agency is responsible for monitoring the following provisions of each CSBG supported loan (including loans made with recaptured loan principal):

- A) hiring schedule compliance including CSBG eligibility verification;
- B) replacement of employees;
- C) use of loan monies; and
- D) loan repayment.

2) Loans made with recovered loan principal will be monitored and reported in the same manner as initial CSBG fund loans. The grantee agency monitoring must be completed prior to the Department's quarterly CSBG reporting requirement dates (1/15, 4/15, 7/15 and 10/15). The CSBG quarterly reports from the grantee agency will include a completed Quarterly Fund Hiring/Payback status report which provides the following information:

- A) agency name and address, reporting period, and contact person;
- B) a list of closed projects;
- C) total number of jobs created using CSBG dollars;
- D) total number of jobs retained using CSBG dollars;
- E) timetable for hiring (number to be hired by month, day, and year);

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F) total number of jobs filled to date (excluding terminations);

G) number of CSBG persons hired who are female or minority employees;

H) comments regarding the projects (terminations are to be noted here);

I) loans totally repaid (name and amount of principal);

J) loans presently being repaid (name, monthly principal, and principal to date);

K) total principal repaid to date on all loans;

L) balance of funds in recaptured account;

M) loans made from recaptured funds (business name and CSBG dollar amount); and

N) loans delinquent in payback/(business name, total amount delinquent, how long delinquent).

3) The grantee agency must maintain loan program data (e.g., bank statements, copies of W-4's) to verify information reported quarterly to the Department.

4) The Department's program monitoring and annual auditing will include verification of the Grantee's report on the status of each consummated loan.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Administration of the Illinois Public Community College Act

2) Code Citation: 23 Ill. Adm. Code 1501

3) Section Numbers: Proposed Action:

1501.307 amendment  
1501.309 amendment

4) Statutory Authority: Ill. Rev. Stat., 1987, Ch. 122, pars. 102-11, 102-12(h), and 102-16

5) A Complete Description of the Subjects and Issues Involved: The proposed revisions to Section 1501.307, which specify the criteria for the approval of out-of-state extensions of curricula/credit courses, are intended to clarify what constitutes an out-of-state extension and to enable district or state residents enrolling in courses at these extensions to be claimed by the college for state funding.

The proposed revisions to Section 1501.309, which specify the criteria for a baccalaureate-transfer course, are to enable course articulation with private and/or out-of-state institutions to meet the ICCB articulation requirement if a majority of the community college's students transfer to those institutions.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: Not Applicable

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

David Steelman, Associate Director  
Governmental Relations  
Illinois Community College Board  
509 South Sixth Street, Room 400  
Springfield, Illinois 62701-1874  
Telephone: (217) 785-0028

Written comments on the proposed rulemaking will be accepted for 45 days following publication of this notice.

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis: The Illinois Community College Board has determined that this rulemaking will not affect small business.

13) The full text of the Proposed Amendments begins on the next page:



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## NOTICE OF PROPOSED AMENDMENT(S)

## NOTICE OF PROPOSED AMENDMENT(S)

TITLE 23: EDUCATION AND CULTURAL RESOURCES  
 SUBTITLE A: EDUCATION  
 CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

## PART 1501

## ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

## SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

Section	
1501.101	Definition of Terms
1501.102	Advisory Groups
1501.103	Rule Adoption
1501.104	Manuals
1501.105	Advisory Opinions
1501.106	Executive Director
1501.107	Information Request
1501.108	Organization of ICCB
1501.109	Appearance at ICCB Meetings
1501.110	Appeal Procedure
1501.111	Reporting Requirements
1501.112	Certification of Organization
1501.113	Administration of Mandatory and Voluntary Annexations and New
1501.114	District Formations
	Administration of Mandatory and Voluntary Annexations and New
	District Formations

## SUBPART B: RECOGNITION

Section	
1501.201	Definition of Terms
1501.202	Recognition Provisions
1501.203	Evaluation
1501.204	Review and Appeal
1501.205	Recognition Standards

## SUBPART C: PROGRAMS

Section	
1501.301	Definition of Terms
1501.302	Units of Instruction, Research, and Public Service
1501.303	Program Requirements
1501.304	Program Planning
1501.305	College, Branch, and Extension Centers
1501.306	State or Federal Institutions (Repealed)
1501.307	Cooperative Agreements and Contracts
1501.308	Reporting Requirements

## SUBPART D: STUDENTS

Section	
1501.401	Definition of Terms
1501.402	Admission of Students
1501.403	Student Services
1501.404	Academic Records
1501.405	Student Evaluation
1501.406	Reporting Requirements

## SUBPART E: FINANCE

Section	
1501.501	Definition of Terms
1501.502	Financial Planning
1501.503	Audits
1501.504	Budgets
1501.505	Non-Resident Student Tuition Calculations
1501.506	Published Financial Statements
1501.507	Credit Hour Grants
1501.508	Disadvantaged Student Grant
1501.509	Economic Development Grants
1501.510	Reporting Requirements
1501.511	Chart of Accounts
1501.514	Business Assistance Grants (Repealed)
1501.515	Advanced Technology Equipment Matching Grant
1501.516	Repair and Renovation Grants

## SUBPART F: CAPITAL PROJECTS

Section	
1501.601	Definition of Terms
1501.602	Approval of Capital Projects
1501.603	State Funded Capital Projects
1501.604	Locally Funded Capital Projects
1501.605	Project Changes
1501.606	Progress Reports (Repealed)
1501.607	Reporting Requirements
1501.608	Approval of Projects in Section 3-20.301 of the Act
1501.609	Completion of Projects Under Section 3-20.3.01 of the Act

## SUBPART G: STATE COMMUNITY COLLEGE

Section	
1501.701	Definitions of Terms
1501.702	Applicability
1501.703	Recognition
1501.704	Programs
1501.705	Finance
1501.706	Personnel



1501.707 Facilities

Section  
1501.801 Definition of Terms  
1501.802 Sabbatical Leaves

SUBPART H: PERSONNEL

AUTHORITY: Implementing and authorized by Article II of the Public Community College Act (Ill. Rev. Stat. 1987, ch. 122, pars. 102-1 et seq. and Ill. Rev. Stat. 1984 Supp., ch. 122, par. 102-16.01 as amended by P.A. 84-105, effective July 24, 1985 and P.A. 84-110, effective January 23, 1986).

SOURCE: Adopted at 6 Ill. Reg. 14262, effective November 3, 1982; codified at 7 Ill. Reg. 2332; amended at 7 Ill. Reg. 16118, effective November 22, 1983; Sections 1501.103, 1501.107 and 1501.108 recodified to 2 Ill. Adm. Code 5175 at 8 Ill. Reg. 6032; amended at 8 Ill. Reg. 14262, effective July 25, 1984; amended at 8 Ill. Reg. 19383, effective September 28, 1984; emergency amendment at 8 Ill. Reg. 22603, effective November 7, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 24299, effective December 5, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3691, effective March 13, 1985; amended at 9 Ill. Reg. 9470, effective June 11, 1985; amended at 9 Ill. Reg. 16813, effective October 21, 1985; amended at 10 Ill. Reg. 3612, effective January 31, 1986; amended at 10 Ill. Reg. 14658, effective August 22, 1986; amended at 11 Ill. Reg. 7606, effective April 8, 1987; amended at 11 Ill. Reg. 18150, effective October 27, 1987; amended at 12 Ill. Reg. 6660, effective March 25, 1988; amended at 12 Ill. Reg. 15973, effective September 23, 1988; amended at 12 Ill. Reg. 16699, effective September 23, 1988; amended at 12 Ill. Reg. 19691, effective November 15, 1988; amended at 13 Ill. Reg. 1182, effective January 13, 1989; adopted at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART C: PROGRAMS

Section 1501.307 Cooperative Agreements and Contracts

Cooperative agreements and contracts with other Illinois educational agencies and those out of state may be established for the purpose of providing more accessible instructional services to students and increasing efficiency in the use of educational resources, subject to the following conditions:

- a) A new unit of instruction to be offered by a community college solely through a cooperative agreement or contract with another educational agency is subject to approval by the ICCB as indicated in Section 1501.302.
- b) Agreements with Secondary Schools. If a community college enters into a cooperative agreement or contract with a secondary school to provide advanced or specialized secondary-level courses in either the academic or vocational field, the college shall charge the secondary school the per capita cost of offering such instruction, in which case the

college shall not claim ICCB credit hour grants for these secondary school students, or the college shall charge the secondary school for secondary school student participation in accordance with a joint agreement between the college and the secondary school district under Section 10-22.20a of the School Code. When charges are made pursuant to a joint agreement, credit hour grants may be claimed in accordance with Section 1501.507.

- c) In-district Cooperative Agreements. Any cooperative agreement or contract entered into by a Board of Trustees to provide educational programs or services within its district for previously approved units of instruction, research, or public service shall be kept on file at the district central administrative office.
- d) Inter-district Cooperative Agreements: If a community college district enters into a cooperative agreement or contract with another community college district to accept students from the other district into one or more of its previously approved curricula on a reciprocal basis, the curricula included in the cooperative agreement or contract shall be listed in both college's catalogs and a copy of the listing shall be provided to the ICCB by July 1 annually.
- e) Extension of Credit Courses into Illinois Non-Community College District Territory: A college shall be granted approval annually to extend credit courses through a cooperative agreement or contract into non-community college district territory in Illinois provided such approval is requested on forms provided by the ICCB and provided the college reports annually on such approved extensions on forms provided by the ICCB.
- f) Extension of Curricula/Credit Courses into Another Community College District: A community college may extend previously approved curricula and/or credit courses into another community college district with approval of the other community college district. If a district in which military installations, correctional institutions, or other state or federal institutions are located elects not to provide previously approved units of instruction to these institutions, any other college may apply to the ICCB to do so. If more than one college applies, the ICCB will select a college using the following criteria:
  - 1) The proximity of the college to the institution.
  - 2) The availability at the college of the instructional units needed by the institution.
  - 3) The cost of providing the instructional units for the institution.
  - 4) The college's past experience in offering similar units of instruction.
- g) Extension of Curricula/Credit Course Out of State. Curricula and/or credit courses offered at out-of-state locations (except for field trips and travel that are in conjunction with a course offered within the district) must have prior annual approval by the ICCB. A community college shall be granted annual approval to offer previously approved curricula and/or credit courses out of state provided that it



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meets the following criteria: such approval is requested on forms provided by the ICCB and provided the college reports annually on such approved extensions on forms provided by the ICCB. Colleges seeking approval shall provide assurance that no state or local tax monies will be used to provide such extensions, and that credit courses provided are not claimed for ICCB credit hour grants.

- 1) A request for approval including information about the curricula and/or courses, location of the proposed extension, projected enrollments, and projected funding is submitted on forms provided by the ICCB.
- 2) If the extension is primarily for district residents, the college shall identify how the extension will be used by students to complete degree or certificate programs.
- 3) If the extension is primarily for out-of-state students, the college shall submit a copy of a written request from the group desiring the service and assurance that credit courses provided for out-of-state students will not be claimed for state funding.
- 4) The college shall submit annual reports of its out-of-state extensions for the past fiscal year, on forms provided by the ICCB, by July 15 of each year.
- 5) The college shall request annual approval of its out-of-state extensions, on forms provided by the ICCB, prior to May 15 for the fiscal year beginning on the next July 1.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 1501.309 Course Classification and Applicability

- a) Course Classification. Information on courses for which credit is to be awarded shall be submitted to ICCB on forms provided by ICCB in order for the courses to be classified into appropriate instructional and funding categories and added to the college's Management Information System (MIS) Course Master File.
- b) Course Credit Hour Determination.
  - 1) Credit hours for courses for which ICCB credit hour grants are to be claimed shall be determined on the basis of an expected forty-five (45) hours of combined classroom/laboratory and study time for each semester hour or thirty (30) hours of such time for each quarter credit hour.
  - 2) Courses with students participating in lecture/discussion oriented instruction will be assigned one semester credit hour or equivalent for each fifteen (15) classroom contact hours of instruction per semester or equivalent. It is assumed that two (2) hours of outside study will be invested for each classroom contact hour.
  - 3) Courses in which students participate in laboratory/clinical-laboratory oriented instruction will be assigned one (1) semester credit hour or equivalent for each

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30-45 classroom contact hours of instruction per semester or equivalent. It is assumed that one (1) hour of outside study will be invested for each two (2) laboratory contact hours.

- 4) Students who participate in internship, practicum, or on-the-job supervised instruction shall receive one (1) semester credit hour or equivalent for each 75-149 contact hours per semester or equivalent.

c) Course Syllabus. A syllabus shall be developed and maintained for each credit course and shall be available to the public and students upon request. A syllabus contains the description of the course, specific objectives of the course, a topical outline, and the method for evaluating student performance.

- d) Course Applicability. All credit courses must be part of an approved unit of instruction (pursuant to Section 1501.302), and the approved unit of instruction for each course shall be indicated on the college's ICCB MIS Course Master File.

1) Lower-division Baccalaureate Courses. Courses designed to meet lower-division baccalaureate degree requirements shall be applicable to associate transfer degrees. For each baccalaureate course offered, the college shall maintain current written articulation agreements or transfer equivalency documents with:

- A) at least three (3) Illinois public universities; or
- B) at least three baccalaureate degree-granting institutions to which a majority of the college's students transfer; or
- C) one or more baccalaureate degree-granting institutions to which a majority of the college's students majoring in the field for which the course is required are accepted--for lower-division---baccalaureate---courses--are--accepted--for students--who transfer.

- 2) Remedial Course Credit. No remedial course credit shall be applicable to associate degrees designed for transfer to institutions granting baccalaureate degrees.

- 3) Adult Basic Education Course Credit. No adult basic education course credit is applicable to degrees or to certificates, except the Adult Basic Education Certificate.

- 4) Adult Secondary Education Course Credit. No adult secondary or college preparatory education course credit is applicable to degrees or certificates, except the Adult Secondary Education Certificate.

- 5) General Studies Course Credit. General studies course credit is applicable only to the Personal Development; Homemaking; Improving Family Circumstances; Intellectual and Cultural Studies; Community and Civic Development; and Health, Safety and Environment Certificates.

- e) Special Upper-Division Courses.

- 1) A college may offer any course that is offered by a university, regardless of numbering system, if the university normally permits its own students to take the course as lower-division students. Such courses will be eligible for ICCB grants, if they



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- meet all other criteria.
- 2) If at least three (3) public universities in Illinois agree, or if a public university which is the principal recipient of transfers from the community college agrees, certain special courses taught at the upper-division level may be offered by a college and be eligible for ICCB grants, provided they meet all other criteria.

f) Independent Study. Independent Study course credit shall not exceed 25% of the credit hour requirements for a student to earn an associate degree. The topic of an independent study course shall be listed on the student's permanent academic record.

g) Internships. An internship experience for credit that is designed to provide the student an opportunity to put into practice the theories and techniques learned in the classroom/laboratory shall be applicable to an associate degree or certificate, provided at least twelve (12) semester credit hours or equivalent in the corresponding curriculum are completed by the student prior to, or are taken by the student concurrently with, such experience.

h) Courses Approved as Repeatable.

1) Courses in which the content varies from term to term or from student to student (e.g., independent study, special topics, and internship courses) or in which a student is expected to gain increased depth of knowledge and skill through repetition (e.g., and music, speech, theatre, and journalism performance or production courses) shall, at the request of the college, be approved for repeatability under the following conditions:

- A) The number of times the course may be taken for credit does not exceed four semesters (or six quarters);
- B) The method of determining the amount of credit to be awarded for each section of the course, for each term, or for each student is specified in the college's catalog, on the course syllabus, and on the course classification form, and the subject matter and number of credits for which the student enrolled is specified on the student's permanent academic record;

C) The college's catalog, the course syllabus, and the course classification form requesting approval of repeatability by the ICCB indicate the number of such credits that will apply to degree or certificate completion for a single course or a combination of related courses; and

D) The total number of credit hours for a single course or for a combination of related courses that are applicable to a degree or certificate completion does not exceed the maximums established in Sections 1501.309(e) governing independent study, 1501.309(b) governing credit hour determination, or 1501.507(b)(10) governing the maximum rate of credit hour production.

2) A vocational skill course that persons employed in an occupation or vocation must retake periodically by law in order to maintain

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employment shall, at the request of the college, be approved for repeatability under the following conditions:

- A) The content of the course is determined by law and does not change from one year to the next, and
- B) A copy of the law (or regulation administering it) and a course syllabus accompany the course classification form requesting repeatability.

3) An adult basic, adult secondary, or a remedial education course that is organized into discrete modules and offered for variable credit shall, at the request of the college, be approved for repeat under the following conditions:

- A) No discrete module is repeated,
- B) The title of each module completed is recorded on the student's permanent academic record, and
- C) The content and number of credit hours for each discrete module is shown on the course syllabus and on the course classification form requesting approval of repeatability by the ICCB.

4) An adult basic, adult secondary or a remedial education course that is not organized into discrete modules shall, at the request of the college, be approved for repeatability under the following conditions:

- A) The number of times the course may be taken for credit does not exceed four times, i.e., repeatable three times.
- B) The variety of skill levels included in the course and the methods used to accommodate individual differences based on an assessment of student skills is specified in the course syllabus.

C) The course title and the grade received is permanently recorded on the student's academic record each time that the course is taken.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Gifted Education2) Code Citation: 23 Ill. Adm. Code 2273) Section Numbers:227.10  
227.12  
227.14  
227.16  
227.18  
227.30  
227.40Proposed Action:Amendment  
New Section  
New Section  
New Section  
New Section  
Amendment  
Amendment4) Statutory Authority: Ill. Rev. Stat 1987, ch. 122, par. 14A-1 et seq.5) A Complete Description of the Subjects and Issues Involved:

The proposed amendments implement the provisions of two pieces of legislation, P.A. 85-880 and P.A. 85-1389.

P.A. 85-880 requires the development of school district plans for the provision of comprehensive gifted and talented education programs. New sections are proposed which will set forth the standards for such plans, and the existing Section 227.40 has been amended to conform to the new, more comprehensive effort required.

P.A. 85-1389 deletes the requirement for special recognition of students who participate in gifted education programs. Accordingly, Section 227.30(d) is being deleted.

6) Will this proposed rule replace an emergency rule currently in effect?  
No7) Does this rulemaking contain an automatic repeal date? Yes ☒ No8) Does this proposed amendment contain incorporations by reference? No9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: The adoption of rules governing the submission of plans for gifted education is specifically required by Section 14A-3.1 of The School Code (Ill. Rev. Stat. 1987, ch. 122, par. 14A-3.1).

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11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Rob Sampson  
Illinois State Board of Education  
100 North First Street  
Springfield, Illinois 62777  
(217) 782-2826

12) Initial Regulatory Flexibility Analysis: These amendments will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:



## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

## TITLE 23: EDUCATION AND CULTURAL RESOURCES

## SUBTITLE A: EDUCATION

## CHAPTER I: STATE BOARD OF EDUCATION

## SUBCHAPTER F: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

## PART 227

## GIFTED EDUCATION

Section	
227.10	Definition of Terms
227.12	Comprehensive Plan for Gifted and Talented Education
227.14	Contents of the Plan
227.16	Gifted and Talented Education Plan Approval
227.18	Implementation of Plans
227.20	The Establishment and Administration of Gifted Education Programs
227.30	Gifted Education Instructional Programs
227.40	Identification and Assessment of Gifted and Talented Children
227.50	Educational Personnel for Gifted Programs
227.60	Evaluation of Gifted Programs
227.70	Area Service Centers (Repealed)
227.75	Eligibility to Serve as Area Service Center (Repealed)
227.80	Application for Designation as ASC (Repealed)
227.85	Designation of Area Service Centers (Repealed)
227.90	Terms of Area Service Center Contract (Repealed)
227.95	Institutes (Repealed)
227.100	Institute Eligibility (Repealed)
227.105	Application for Institute Designation (Repealed)
227.110	Institute Designation (Repealed)
227.115	Terms of the Institute Contract (Repealed)

AUTHORITY: Implementing and authorized by Article 14A of The School Code (Ill. Rev. Stat. 1987, ch. 122, pars. 14A-1 et seq.)

SOURCE: Adopted April 11, 1974; codified at 7 Ill. Reg. 16505; Part repealed, new Part adopted at 9 Ill. Reg. 9988, effective June 14, 1985; amended at 10 Ill. Reg. 21661, effective December 17, 1986; amended at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_.

NOTE: Capitalization denotes statutory language.

## Section 227.10 Definition of Terms

"Advisory Council" means the Advisory Council on Education of Gifted Children defined in Section 14A-4 of The School Code (Ill. Rev. Stat. 1985 1987, ch. 122, par. 14A-4).

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## NOTICE OF PROPOSED AMENDMENTS

"Educational Assessment" means all those activities which contribute to a more comprehensive and accurate understanding of the child and his or her educational needs. These activities shall include testing, staffing and evaluation of academic history.

"Educational Service Center (ESC)" means a state funded agency established within a specific geographic region to provide services to local education agencies (LEA's) in meeting the educational needs of gifted and talented children as provided in 23 Ill. Adm. Code 500.50 (b)(1) (Educational Service Centers).

"Gifted and Talented Children" means those children who consistently excel or show the potential to be consistently superior in one or more of the following areas of human endeavor:

General Intellectual Ability. The child possesses general intellectual ability, HIGH LEVEL THOUGHT PROCESSES (e.g., the ability to make valid generalizations about events, people and things), OR DIVERGENT THINKING (e.g., the ability to identify and consider multiple, valid solutions to a given problem) which is consistently superior to that of other children to the extent that he or she needs and can profit from specially planned educational services beyond those normally provided by the standard school program.

Specific Aptitude/Talent. The child possesses a specific aptitude/talent in a specific academic area, creativity or the arts which is consistently superior to the aptitudes of other children to the extent that he or she needs and can profit from specially planned educational services beyond those normally provided by the standard school program.

"Gifted Education Program" means those instructional programs, supportive services, unique materials, learning settings, and other state and local educational services as described in Article 14A of The School Code and herein, which modify, supplement, and support the standard education program of the public schools, and shall include the following components:

Identification of the gifted and talented child.

Assessment of the nature of the child's cognitive and affective educational needs for the purpose of developing a suitable program.

Instruction which is based upon an assessment of the student's educational needs.



Continued evaluation and refinement of the program.

"Instructional Services" means those instructional activities which are provided for gifted and talented children in a standard classroom or other educational setting relevant to the gifted student's needs.

"Local Education Agency (LEA)" means a public school board of education, an educational service region or a combination of these, or other public authority legally constituted within the state that is recognized by the state to be an administrative agency for public elementary or secondary schools.

"Reimbursement Coordinator" means the person who is directly responsible for the administration and operation of the program for gifted and talented children within an LEA.

"Reimbursement Program" means an educational program designed to meet the educational needs of gifted and talented children that receives reimbursement for services and materials as described in Section 14A-5 of The School Code.

"Staffing" means a meeting of personnel such as classroom teachers, school administrators, psychologists, guidance counselors, academic discipline specialists, parents, and students for the purposes of:

Determining the eligibility of students for specially planned education services.

Determining the appropriate provision of these services.

Reviewing the educational progress of the gifted and talented students.

"Standard School Program" means the educational program generally offered by the local school district to the majority of its students.

(Source: Amended at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### Section 27.12 Comprehensive Plan for Gifted and Talented Education

- a) Pursuant to the provisions of Section 14A-3.1 of The School Code (Ill. Rev. Stat. 1987, ch. 122, par. 14A-3.1), each school district SHALL DEVELOP A PLAN WHICH EITHER PROVIDES OR MAKES AVAILABLE FOR ALL GIFTED AND TALENTED PUPILS PROGRAM(S) (as defined in Section 27.10 of this Part) WHICH ENCOMPASS ALL GRADE LEVELS AND FUNDAMENTAL AREAS OF LEARNING as set forth in 23 Ill. Adm. Code 210, Appendix A (Learning Assessment and School Improvement Plans).

- b) Each comprehensive plan for gifted and talented education (hereinafter called a Plan) shall at least contain the information required in Section 27.14 of this Part. shall be prepared using a format specified by the State Board of Education, and shall be submitted to the State Board of Education by December 31, 1989 for review and approval in accordance with Section 27.16 of this Part.

(Source: Added at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
Section 27.14 Contents of the Plan

- a) Each Plan must include a description of:

1) a system for the identification and assessment of gifted and talented children that meets the requirements of Section 27.40 of this Part;

2) a gifted education program that:

A) meets the requirements of Sections 27.10 and 27.12(a) of this Part; and

B) reflects in scope the district's estimate of the number of gifted and talented students it expects to serve by grade level and fundamental area of learning;

3) educational personnel needed to provide instructional and other services pursuant to subsections (a)(1) and (a)(2);

4) an ongoing staff development plan designed to provide inservice training to the educational personnel referred to in subsection (a)(3); and

5) evaluation procedures that meet the requirements of Sections 27.30(b) and 27.60 of this Part.

- b) Each Plan shall also include a budget, completed on forms provided by the State Board of Education, which shall be an estimate of the school district's costs for operating the program described in its Plan. For the purpose of establishing accurate estimates of these costs, school districts shall not be constrained by the reimbursement limitations set forth in Section 14A-5 of The School Code (Ill. Rev. Stat. 1987, ch. 122, 14A-5).

(Source: Added at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## STATE BOARD OF EDUCATION

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Section 227.16 Gifted and Talented Education Plan Approval

- a) The State Board of Education will review the Plan and approval will be based upon evidence that the contents of the Plan conform to the requirements listed in Section 227.14.
- b) Upon completion of review of the Plan, the State Superintendent of Education shall send a letter to the submitting LEA, indicating that:

- 1) its Plan has been approved pursuant to the provisions of subsection (a) of this Section; or
- 2) its Plan can be approved upon submission of specified revisions and/or additional information.
- c) Upon completion of review of information submitted by a school district pursuant to the provisions of subsection (b)(2) of this Section, the school district will be notified in writing that its Plan has been approved or that the Plan remains unapprovable for reasons which shall be specified.
- d) A school district must have an approved Plan on file with the State Board of Education in order to be eligible for reimbursement of the costs of implementing its Plan. Annual reimbursement for programs based upon approved Plans shall be provided in accordance with the provisions of Sections 227.18 and 227.20(c) of this Part.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

Section 227.18 Implementation of Plans

- a) IMPLEMENTATION OF THE PLANS OR COMPONENTS THEREOF (i.e., as specified in Section 227.14(a) in relation to grade levels and fundamental learning areas) AS DETERMINED BY THE STATE BOARD OF EDUCATION SHALL BEGIN DURING THE 1991-92 SCHOOL YEAR, PROVIDED THAT THE GOVERNOR AND THE GENERAL ASSEMBLY HAVE ACCEPTED THE FORMULA AND FUNDING LEVEL TO BE SUBMITTED TO THEM BY THE STATE BOARD OF EDUCATION BY JANUARY 31, 1991 (Section 14A-3.1 of The School Code).
- b) Subject to the condition set forth in subsection (a) of this Section, the State Board of Education shall determine implementation of the approved Plans or components thereof on the basis of:
- 1) the sum of the estimated costs for the Plans and for their components;
- 2) the extent of additional personnel and other resources needed to implement the Plans or their components; and

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- 3) the policy of the State Board of Education to achieve full implementation of the Plans at the earliest possible date.
- c) The State Board of Education shall send a written notice to all districts indicating the Board's implementation decision pursuant to this Section within thirty (30) days of adopting said decision.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

Section 227.30 Gifted Education Instructional Programs

- a) Those LEA's receiving gifted reimbursement funds shall design gifted education programs in direct response to the educational needs of children identified as gifted and talented in one of the areas of human endeavor defined in Section 227.10.
- b) Educational objectives, experiences, and evaluation techniques shall be developed by the LEA for each type of instructional program designed to meet the educational needs of gifted and talented children. These objectives, experiences, and evaluation techniques shall stress sequential education and be subject to continuing review, evaluation, and revision through consultation with individuals involved in the program, e.g., LEA personnel, ESC personnel, students and parents.
- c) Programs and services designed to meet the educational needs of gifted and talented children shall be an integrated part of the standard school program. These programs and services may provide learning experiences that occur in settings and at times other than those of the regular school program, including optional summer school.
- d) Students who have successfully participated for at least one semester in an elementary and/or secondary school gifted education program shall receive special recognition upon their graduation from elementary and/or secondary school. Recognition devices may include an awards ceremony, a special certificate, a notation in the graduation program, or similar devices.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

Section 227.40 Identification and Assessment of Gifted and Talented Children

- a) Subject to subsection (c) below, in order to qualify for program approval, an LEA shall indicate in its proposal that gifted and talented children have been identified, through a process consistent with subsection (b), for participation in the program to be



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reimbursed. These children may be identified in any or all grades from pre-kindergarten through grade 12, but must be identified as gifted in one or more of the areas of human endeavor as defined in Section 227.10.

- b) The process for identifying children as gifted and talented shall be determined by the LEA. However, the identification process shall meet the following standards:

- 1) It must compare the gifted and talented student's abilities to those of all others in the LEA population. It must be applied to all students in the LEA population.
- 2) It must establish, make public, and apply criteria for selecting a child from the LEA's target student population for differentiated instructional programs or services.
- 3) It must establish and apply specific cutoff points when standardized tests are used; it must uniformly apply any criteria for selection to every child in the LEA population for whom they are applicable (e.g., according to grade level, academic area, or area of talent).
- 4) It must relate the criteria for selection to the instructional program or service to be provided; it must describe in detail specific means used for student identification and make use of both objective measures and professional judgment such as those enumerated in subsections (A) and (B), respectively:

- A) Specific subject matter tests  
Achievement test sub-scores  
Creativity tests  
Pictorial, nonverbal, or abstract reasoning tests  
Individual intelligence tests  
Group verbal intelligence or mental ability tests;
- B) Teacher or specialist, e.g., counselor, psychologist, or other professional evaluation  
Past school performance  
Evidence of accomplishment or ability, e.g., portfolio, audition, or other performance.

- 5) It must equally apply the criteria for selection to every child in the LEA population.
- 6) It must describe in detail specific means used for student identification for program approval and it must use a minimum of three identification devices with at least one selected from each of the following groups:

- A) Reading-reading-tests, e.g., picture-identification  
Reading-vocabulary tests  
Reading-comprehension tests  
Group-verbal-intelligence-or-mental-ability-tests
- B) Specific-subject-matter-tests  
Achievement-test-sub-scores-other-than-reading  
Individual-intelligence-tests  
Creativity-tests  
Pictorial/nonverbal/abstract-reasoning-tests
- C) Teacher-or-specialist, e.g., counselor, psychologist, or other professional evaluation  
Past-school-performance  
Evidence-of-accomplishment-or-ability, e.g., portfolio, audition, or other performance

- c) An LEA writing a gifted program proposal for the first time need not identify its gifted and talented children prior to submitting that proposal for approval. However, one of the first-year objectives of that proposal shall be to identify gifted and talented children.
- d) All gifted and talented children who have been identified shall be given an educational assessment as defined in Section 227.10.
- e) The identification and assessment of a gifted child must be done prior to the development of an instructional program or service for that child.

(Source: Amended at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## DEPARTMENT OF FINANCIAL INSTITUTIONS

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part: Illinois Credit Union Act

2) Code Citation: 38 Ill. Adm. Code 190

3) Section Number: Proposed Action:

190.70 Amendment  
190.165 New Section  
190.180 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1987 ch. 17, pars. 4447, 4452, 4460 and 4461.

5) Complete Description of the Subjects and Issues Involved:

The new section, 190.165, is added to clarify what exactly a business loan is, and what procedures must be followed with such lending. Presently, there is confusion on whether credit unions may deal in business loans, what constitutes such a loan and what regulations must be followed when issuing such a loan.

The amendment in Section 190.70 simply separates the loan loss accounting procedures of business loans from that of other loans.

The amendment in Section 190.180 is another clarification. The investment in privately issued collateralized mortgage obligations is permitted by the Department, but needed to be spelled out in the rules and regulations. This is taken care of by this amendment.

6) Will this Proposed Rule Replace an Emergency Rule Currently in Effect?

No.

7) Does this Rulemaking Contain an Automatic Repeal Date? No.

8) Does this Rulemaking Contain Incorporations by Reference? No.

9) Are there Any Other amendments Pending on this Part? No.

10) Statement of Statewide Policy Objectives: N/A.

11) Time, Place and Manner in Which Interested Persons May Comment on this Rulemaking:

Ben Schwarm  
Department of Financial Institutions  
421 E. Capitol, Room 205

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Springfield, IL 62706  
217/782-2831

12) Initial Regulatory Flexibility Analysis:

A) Date Rule was Submitted to the Business Assistance Office of Commerce and Community Affairs: March 17, 1989.

B) Types of Small Business Affected: Illinois State-Chartered Credit Unions.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

The record keeping of credit unions will not be altered.

D) Types of Professional Skills Necessary for Compliance: None.



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## TITLE 38: FINANCIAL INSTITUTIONS

## CHAPTER I: DEPARTMENT OF FINANCIAL INSTITUTIONS

## PART 190

## ILLINOIS CREDIT UNION ACT

## Section

190.5	Credit Union Service Organizations
190.10	Field of Membership Procedures
190.20	Hearings
190.30	Cease and Desist Procedures
190.40	Removal or Suspension Procedures
190.50	Fees
190.60	General Accounting Procedures
190.70	Loan Loss Accounting Procedures
190.80	Use of Electronic Data Processing
190.90	Property and Long Term Leases
190.100	Classes of Share and Special Purpose Share Accounts
190.110	Share Drafts
190.120	Bond and Insurance Requirements
190.130	Verification of Share and Loan Accounts
190.140	First Mortgage Real Estate Lending
190.150	Reverse Mortgage
190.160	Lending Limits - Other Than First Mortgage Loans
190.165	Business Loans
190.170	Group Purchasing
190.180	Investments
190.190	Liquidation
190.200	Conversion of Charter

AUTHORITY: Implementing and authorized by the Illinois Credit Union Act (Ill. Rev. Stat. 1987, ch. 17, pars. 4401 et seq.)

SOURCE: Adopted at 4 Ill. Reg. 20, p. 17, effective May 7, 1980; amended at 6 Ill. Reg. 11134, effective September 7, 1982; amended and codified at 7 Ill. Reg. 14973, effective October 26, 1985; emergency amendment at 9 Ill. Reg. 14378, effective September 11, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 16231, effective October 10, 1985; amended at 10 Ill. Reg. 14667, effective August 27, 1986; amended at 12 Ill. Reg. 10464, effective June 7, 1988; amended at 12 Ill. Reg. 17383, effective October 24, 1988; amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 190.70 Loan Loss Accounting Procedures

- a) For the purpose of absorbing and reporting loan losses, all credit unions must establish, at a minimum, the following accounts in the general ledger:

- 1) Reserve for Loan Losses - A portion of the statutory Regular Reserve segregated and reported as a direct reduction of loans.
- 2) Provision for Loan Losses - An expense account, immediately preceding dividend expense, used to reflect the cost of losses on loans.
- b) The Reserve for Loan Losses (RLL) is initially established by a one-time transfer from the Regular Reserve (RR), and is to be maintained at a level which would enable the absorption of all loans which this rule requires the credit union to charge off (this does not include loans or applicable portion of loan balances which are recoverable, as explained hereafter), and an amount computed using the past six calendar years' experience rate. Separate RLL's are to be established for loans secured by real estate and for those loans not so secured. Except as provided herein no subsequent transfer from the Regular Reserve is permitted after the initial establishment of the Reserve for Loan Losses.
- c) The experience rate, which is used to determine the minimum required RLL, is computed by dividing the total of the past six years' net loan losses by the total of the last six years' December 31 loan balances. In the case of a new credit union not having a 6-year experience rate for loss loans, an evaluation on the available data is used.
- d) The following are the minimum criteria for determining a loss loan:
  - 1) Any loan delinquent in contractual payments in an amount equal to 12 or more months;
  - 2) Any loan on which the borrower has taken bankruptcy;
  - 3) Any loan which was previously over 12 months delinquent, has been refinanced and has subsequently become delinquent in an amount equal to 3 monthly contractual payments or more; or
  - 4) Any account placed in the hands of a collection agency or attorney where a percentage of the collected amount is retained by the collector or attorney as a fee for the collections service, and which is delinquent or which subsequently becomes delinquent in contractual payments in an amount greater than 6 months.
- e) Before every dividend declaration and/or every closing date, all loans in the above categories and any other loan on which there is an anticipated loss, must be charged off to the RLL; however, such



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loans or applicable portions need not be charged-off if there is substantial objective evidence that the loan balance or a portion can be recovered, and the credit union has taken appropriate action to effect recovery. The credit union's records must categorize all loans according to the above-estimated loss criteria and contain evidence used to substantiate the continued carrying of a loan as an asset if the loan is in a loss category. The RLL must then be replenished using the Provision for Loan Losses Account (RLL), to the minimum required level based on the experience rate.

f) When making the year-end statutory Regular Reserve transfer, any amounts already taken as a RLL during the year may be deducted from the total transfer required to the extent of the transfer. If the RLL exceeds the statutory transfer an amount equal to this excess may be transferred at the option of the credit union to the undivided earnings account from Regular Reserve, if necessary, to pay the expenses of the period covered by the statutory transfer.

g) Nothing in this section shall be applicable to the establishment of a Reserve for Loan Losses account for business loans. Reference must be made to Section 190.165 of Department's Rules and Regulations for the establishment of a Reserve for Loan Losses account for business loans.

(Source: Amended at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
Section 190.165 Business Loans

## The following are definitions:

a) For purposes hereafter applicable in this Section.

1) A "Business Loan" is defined as any loan, line of credit, letter of credit, to a member of the credit union, for which the proceeds will be used to finance a commercial, business or agricultural purpose.

2) "Reserves means all reserves, including the Reserve for Loan Losses Account(s), and undivided Earnings or Surplus.

3) "Associated Member" means any member with a common ownership, investment or other pecuniary interest in a business or commercial endeavor.

Nothing in this Section shall be applicable to:

1) loans fully secured by shares in the credit union or deposits

in other financial institutions.

2) loans less than an aggregate amount of \$25,000 to one member for which the proceeds may be used for a commercial business or agricultural purpose but must be secured by titled motor vehicles.

3) loans to credit union service organizations (CUSO) as defined under Section 190.5 of the Department's Rules and Regulations.

4) loans secured by one to four family owner-occupied parcel of real estate as long as the borrower/owner maintains the subject property as his primary residence.

b) Business Loans shall only be granted by credit unions with assets greater than \$5.0 million and only after a request of amendment to by-laws for such has been approved by the Director of the Department of Financial Institutions. The request must be accompanied with specific lending policies which should address, but not be limited to:

1) Types of business loans to be made within a designated trade area.

2) Provisions that decisions for business lending be based on prudent lending criteria in assessing the borrowers ability to repay, etc., with appropriate and up-to-date documentation in file.

3) Provisions for appropriate experienced and/or training personnel involved in making and administering business loans.

4) The aggregate amount of the credit union assets in relation to reserves, that will be invested in business loans, and the maximum amount of business loans to any one member or group of associated members, provided it does not exceed the limits as set forth in Section 190.165(c) of this Rule.

5) Collateral requirements given that all business loans must be adequately secured.

6) Appropriate interest rates and maturities of business loans.

7) Loan monitoring, servicing, and follow-up procedures, including collection procedures.

All approval of requests shall be based upon the history of the



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credit union, current financial condition and the adequacy of applicable policies.

- c) Credit unions authorized to make business loans must not exceed 10% of the credit unions reserves to any one member or group of associated members. Credit unions seeking an exception to this limit must present in writing the increased limits sought, an explanation of the need for increased limits, the credit union's previous business lending experience and an up-to-date financial statement.

- d) Reserve for Loan Losses (RL) for Business Loans will be determined and accounted for by the credit union as follows:

Delinquent Loans	Classification	% of Outstanding Balance Required in RL
2 to 5 months	Slow	10%
6 to 11 months	Doubtful	50%
12 months and over	Loss	100%

Nondelinquent loans may also be classified in the above categories, dependent upon an evaluation of factors, including, but not necessarily limited to, the adequacy of analysis, documentation and collateral.

- e) Credit unions authorized to make business loans may make member business loans to its directors, officers, credit committee members and supervisory committee members provided that the loan complies with all lawful requirements as set forth in this Section and in Section 52 of the Illinois Credit Union Act and is not on terms more favorable than those extended to other borrowers.

- f) Credit unions authorized to make business loans shall not grant member business loans if the amount of income desired/received by the credit union is tied to the profit of the business in the form of an equity participation.

- g) Credit unions are prohibited from making business loans where the payment amount fluctuates with the earnings of the business/borrower.

(Source: Amended at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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## Section 190.180 Investments

The Board of Directors of a credit union shall use the following procedures in managing and investing funds not being used for loans to members.

- a) The Board must develop a written investment policy which includes at minimum:
- 1) person(s) authorized to take investment actions and the kinds of investments permitted the designated person or committee;
  - 2) limits by amount and term of the investments;
  - 3) procedure for approval of all broker(s) or advisor(s) relationship;
  - 4) procedure for safekeeping of securities.

- b) All investments are to be recorded on the books and records in accordance with generally accepted accounting principles and so as to enable the Department to readily ascertain the financial condition of the credit union.

- c) Investments are limited to the direct purchase of securities listed in Section 59 of the Illinois Credit Union Act (Ill. Rev. Stat. 1984, ch. 17, par. 4460) and common trust or mutual funds whose investment authority is limited solely to securities and investments listed in Section 59 of the Illinois Credit Union Act (Ill. Rev. Stat. 1984, ch. 17, par. 4460).

- d) Credit unions may invest in privately issued collateralized mortgage obligations (CMOs) provided such obligations receive the highest rating (either AAA or AA) by Standard and Poors rating or another comparable rating service.

- de) Credit unions are not authorized to engage in speculative investment activities or transactions including but not limited to:

- 1) short sales of securities;
- 2) adjusted trades;
- 3) standby commitments;
- 4) cash forward agreements in excess of 120 days from the trade date;
- 5) futures contracts, or;



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- 6) the buying and carrying of securities on margin through the use of borrowed funds.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

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- 1) The Heading of the Part: AID TO FAMILIES WITH DEPENDENT CHILDREN

2) Code Citation: 89 Ill. Adm. Code 112

3) Section Number: Proposed Action:

112.318

New

- 4) Statutory Authority: Sections 11-20 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 11-20, as amended by P.A. 85-1156, effective January 1, 1989)

- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking concerns a five-year demonstration Project to be conducted in Kane County where parents or caretaker relatives of children aged 3 to 5 who receive AFDC benefits will be required to participate in Project Chance.

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? Yes ☒ No ☐

- 8) Does this proposed amendment contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
112.40	Amendment	February 17, 1989 (13 Ill. Reg. 1948)
112.78	Amendment	December 30, 1988 (12 Ill. Reg. 22308)
112.98	Amendment	February 24, 1989 (13 Ill. Reg. 2236)

- 10) Statement of Statewide Policy Objectives (Ill. Rev. Stat. 1987, ch. 85, par. 2205): This rulemaking has no effect on local governmental units.

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11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Office of the General Counsel, Illinois Department of Public Aid, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendment begins on the next page:

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TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER b: ASSISTANCE PROGRAMS

## PART 112

## AID TO FAMILIES WITH DEPENDENT CHILDREN

## SUBPART A: GENERAL PROVISIONS

Section  
112.1

Description of the Assistance Program

## SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

## Section

112.8 Caretaker Relative  
112.9 Client Cooperation  
112.10 Citizenship  
112.20 Residence  
112.30 Age  
112.40 Relationship  
112.50 Living Arrangement  
112.52 Social Security Numbers  
112.54 Assignment of Medical Support Rights  
112.60 Lack of Parental Support or Care  
112.61 Death of a Parent  
112.62 Incapacity of a Parent  
112.63 Continued Absence of a Parent  
112.64 Unemployment of the Parent

## SUBPART C: PROJECT CHANCE

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112.72  
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Registration Requirements For Project Chance  
Individuals Exempt From Project Chance  
Project Chance Participation/Cooperation Requirements  
Failure to Participate with the Work Incentive Demonstration Program (Renumbered)  
Project Chance Full Assessment Process/Development of an Employment plan  
Project Chance Orientation  
Illinois Work Experience Program Evaluation Project (Renumbered)  
Project Chance Components  
Project Chance Sanctions  
Good Cause for Failure to Comply with Project Chance Participation Requirements  
Good Cause For Failure to Cooperate With Support Enforcement (Recodified)



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## Section

112.82 Project Chance Supportive Services  
 112.83 Employment Child Care  
 112.84 Work Experience Evaluation Project  
 112.85 Four Year College/Vocational Training Demonstration Project

## SUBPART E: PROJECT ADVANCE

## Section

112.86 Project Advance  
 112.87 Project Advance Experimental and Control Groups  
 112.88 Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers  
 112.89 Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers  
 112.90 Project Advance Sanctions  
 112.91 Good Cause for Failure to Comply with Project Advance  
 112.93 Individuals Exempt From Project Advance  
 112.95 Project Advance Supportive Services

## SUBPART F: WORK SUPPLEMENTATION PROGRAM

## Section

112.98 Work Supplementation Program

## SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

## Section

112.100 Unearned Income  
 112.101 Unearned Income of Stepparent, Parent or Legal Guardian  
 112.105 Budgeting Unearned Income  
 112.106 Budgeting Unearned Income of Applicants Employed On Date of Application And/Or Date Of Decision

112.107 Initial Receipt of Unearned Income  
 112.108 Termination of Unearned Income  
 112.110 Exempt Unearned Income  
 112.115 Education Benefits  
 112.120 Incentive Allowances  
 112.125 Unearned Income In-Kind  
 112.126 Earmarked Income  
 112.127 Lump Sum Payments  
 112.128 Protected Income  
 112.130 Earned Income  
 112.131 Earned Income Tax Credit  
 112.132 Budgeting Earned Income  
 112.133 Budgeting Earned Income of Applicants Employed On Date of Application And/Or Date Of Decision

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## Section

112.134 Initial Employment  
 112.135 Budgeting Earned Income For Contractual Employees  
 112.136 Budgeting Earned Income For Non-Contractual School Employees  
 112.137 Termination of Employment  
 112.140 Exempt Earned Income  
 112.141 Earned Income Exemption  
 112.142 Exclusion From Earned Income Exemption  
 112.143 Recognized Employment Expenses  
 112.144 Income From Work/Study/Training Program  
 112.145 Earned Income From Self-Employment  
 112.146 Earned Income From Roomer and Boarder  
 112.147 Income From Rental Property  
 112.148 Payments from the Illinois Department of Children and Family Services  
 112.149 Earned Income In-Kind  
 112.150 Assets  
 112.151 Exempt Assets  
 112.152 Asset Disregards  
 112.153 Deferral of Consideration of Assets  
 112.154 Property Transfers  
 112.155 AFDC Income Limit

## SUBPART H: PAYMENT AMOUNTS

## Section

112.250 Grant Levels  
 112.251 Payment Levels in AFDC  
 112.252 Payment Levels in AFDC Group I Counties  
 112.253 Payment Levels in AFDC Group II Counties  
 112.254 Payment Levels in AFDC Group III Counties

## SUBPART I: OTHER PROVISIONS

## Section

112.300 Persons Who May Be Included in the Assistance Unit  
 112.301 Presumptive Eligibility  
 112.302 Monthly Reporting  
 112.303 Retrospective Budgeting  
 112.304 Budgeting Schedule  
 112.305 Strikers  
 112.306 Foster Care Program  
 112.307 Responsibility of Sponsors of Aliens  
 112.308 Special Needs Authorizations  
 112.309 Institutional Status  
 112.315 Young Parent Program  
 112.318 The Mandatory Enrollment Program  
 112.320 Redetermination of Eligibility



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- Section  
112.330 Six Month Extension of Medical Assistance Due to Increased Income from Employment  
112.331 Four Month Extension of Medical Assistance Due to Child Support Collections  
112.332 Extension of Medical Assistance Due to Loss of Earned Income Disregard

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, pars. 4-1 et seq. and 12-13).

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective

October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill.



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Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984 for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg.

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1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

## Section 112.318 The Mandatory Enrollment Program

a) The Mandatory Enrollment Program is a five year demonstration program of experimental design, operated by the Department. The purpose of the demonstration program is to determine if mandatory participation in Project Chance (see Sections 112.70 through 112.82) for the parent or other caretaker relative of a child aged three, four, or five years will measurably reduce the length of time on AFDC.

## b) Selection criteria

The Department will select for participation in the Mandatory Enrollment Program AFDC recipients who:

- 1) are the parent or other caretaker relative of a child aged three, four, or five years; and
- 2) reside in Kane County, Illinois.

## c) Participation requirements

Individuals selected for mandatory participation in the demonstration program are subject to and must comply with the terms, conditions and requirements of Sections 112.70 through 112.82. However, the Provision of Section 112.71(a)(5) which exempts from Project Chance participation the parent or other



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Section 112.318 The Mandatory Enrollment Program (Cont'd.)  
caretaker relative of a child under age six (6) in the home is not applicable.

## d) Experimental and Control Groups

- 1) The individuals selected pursuant to subsection (b) must comply with all Project Chance requirements pursuant to subsection (c). Individuals will be randomly assigned by computer to one of the following groups:
  - A) An experimental group. The experimental group consists of those individuals who must comply with the requirements of subsection (c).
  - B) A control group. The control group consists of those individuals who meet the criteria of subsection (b) but will not be mandated to comply with the requirements of subsections (c).
- 2) Individuals selected for the experimental group who fail/refuse to cooperate with Project Chance requirements without good cause, will be sanctioned pursuant to Section 112.79.
- 3) As long as the Mandatory Enrollment Program is in effect, a person designated as an experimental or control group member retains that designation even if that person stops receiving AFDC benefits or leaves the project area.

(Source: Added at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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1) Heading of the Part:

Emergency Medical Services

2) Code Citation:

77 Ill. Adm. Code 535

3) Section Numbers:

535.20  
535.150  
535.200  
535.240  
535.400  
535.410  
535.420  
535.430  
535.800  
535.810  
535.820  
535.830  
535.840  
535.850  
535.860  
535.870

Proposed Action:

Amendments  
Amendments  
Amendments  
Amendments  
Amendments  
Amendments  
New Section  
New Section  
New Section  
New Section  
New Section  
New Section  
New Section  
New Section

4) Statutory Authority:

Emergency Medical Services (EMS) Systems Act  
Ill. Rev. Stat. 1987, ch. 111 1/2, par. 5501 et seq.

5) A Complete Description of the Subjects and Issues Involved:

Section 535.20 (a) has been changed to include the correct citation and the latest editions of the United States Department of Transportation National Standard Curricula.

Section 535.150 (f)(1) has been changed to specify a minimum number of personnel for proper operation of an ambulance which may include Field RNs or physicians.

Section 535.150 (f)(2) has been expanded to include Field RNs, physicians and EMT-Is trained in the use of defibrillation and approved by the Project Medical Director as optional staff on an Intermediate Life Support vehicle.

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In Section 535.200, language making participation in an Arewide Hospital Emergency Services Committee optional has been added.

In Section 535.240 (c), "shall" has been changed to "may" regarding AHES participation.

Section 535.400 (h) has been changed to update the citation of the U.S. DOT Curriculum. Language has been added to allow defibrillation skills to be added to EMT-I training, and to require Department approval for such training and for EMT-I use of this skill in the field.

In Section 535.410, a new paragraph (g) has been added to require testing of EMT-Is by the System before they are allowed to use defibrillation skills in the field.

In Section 535.420, a new paragraph (d) has been added to specify that only EMT-Is who have completed a Department approved training program and who have been approved by the System Project Medical Director will be allowed to defibrillate.

In Section 535.430 (a)(2)(C), a provision for System continuing education requirements for EMT-Is approved to defibrillate has been added.

Subpart L: Registered Professional Nurse (Field RN/MICN) has been added. Under that Subpart, eight Sections have been added consisting entirely of new language pursuant to P.A. 85-785.

Section 535.800 requires a Project Medical Director to submit description of System requirements for Field RNs/MICNs as part of a System Plan.

Section 535.810 details the training a Field RN must complete, based on the requirements of PA 85-785.

Section 535.820 provides that Field RNs be tested by the System if testing is required for EMT-Is within that System.

Section 535.830 details the approval process for Field RNs.

Section 535.840 provides the continuing education requirements for Field RN renewal.

Section 535.850 details the training which MICNs must complete.

Section 535.860 sets forth the approval process for MICNs.

Section 535.870 provides that Project Medical Directors may develop a reciprocity policy for Field RNs and MICNs.

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The economic effect of this proposed rulemaking is unknown. Therefore, the Department requests any information that would assist in calculating this effect.

The Department anticipates that this proposed rulemaking will become effective approximately six months from the date of publication as proposed in the Illinois Register.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes ☐ No ☒

7) Does this Rulemaking Contain an Automatic Repeal Date? Yes ☐ No ☒

If "yes," please specify the date: \_\_\_\_\_

8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes ☒ No ☐

If "yes," please specify type: 6.02(a) ☐ or 6.02(b) ☒

9) Are there any other Proposed Amendments Pending on this Part?

Yes ☐ No ☒

If Yes:

10) Statement of Statewide Policy Objectives:

While the proposed rulemaking does affect EMS Systems which may be operated by units of local government, the rulemaking will provide more flexibility for such systems in the type of personnel that can be used. This rulemaking should not mandate the creation or expansion of a state mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Mr. Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any



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small business may present their comments in writing to Robert John Kane at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

March 10, 1989

B) Type of Small Businesses Affected:

Hospitals, nurses, ambulance providers.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

None.

D) Types of Professional Skills Necessary for Compliance:

None.

The full text of the Proposed Amendments begins on the next page:

TITLE 77: PUBLIC HEALTH  
CHAPTER 1: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER F: EMERGENCY SERVICES AND HIGHWAY SAFETYPART 535  
EMERGENCY MEDICAL SERVICES CODE

## SUBPART A: GENERAL

SECTION  
535.10  
535.20

Definitions  
Incorporated Materials

## SUBPART B: COMMUNICATIONS

SECTION  
535.50  
535.60

General Communications  
EMS Systems Communications

## SUBPART C: LICENSURE OF AMBULANCES

SECTION  
535.100  
535.110  
535.120  
535.130  
535.140  
535.150

Licensure of Ambulances - General  
Denial of License  
Renewal of License  
Renewal of License Denied  
Revocation of License  
Ambulance Licensing Requirements

## SUBPART D: EMERGENCY MEDICAL SERVICES SYSTEM PROGRAM

SECTION  
535.200  
535.210  
535.220  
535.230  
535.240  
535.250  
535.260  
535.265  
535.270

Emergency Medical Services System Program - General  
EMS System Program Plan  
Additions to an Approved Program  
EMS System Personnel Standards  
Minimum Standards for Continuing Operation  
Resolution of Conflicts (Repealed)  
System Participation Suspensions  
System Review Board  
State EMS Disciplinary Review Board

SUBPART E: EMERGENCY MEDICAL TECHNICIAN - AMBULANCE  
TRAINING (EMT-A)



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SECTION  
535.300  
535.310  
535.315  
535.320  
535.330  
535.340  
535.350

Emergency Medical Technician - Ambulance Training - General  
EMT-A Testing  
Fee For Testing  
EMT-A Certification  
EMT-A Recertification  
Failure to Recertify-Denial of Recertification  
Penalty

SUBPART F: EMERGENCY MEDICAL TECHNICIAN - INTERMEDIATE  
TRAINING (EMT-I)

SECTION  
535.400  
535.410  
535.415  
535.420  
535.430  
535.435  
535.440  
535.450

Emergency Medical Technician - Intermediate Training - General  
EMT-I Testing  
Fee For Testing  
EMT-I Certification  
EMT-I Recertification  
Failure to Recertify-Denial of Recertification  
EMT-I Inactive Status  
Penalty

SUBPART G: EMERGENCY MEDICAL TECHNICIAN - PARAMEDIC  
TRAINING (EMT-P)

SECTION  
535.500  
535.510  
535.515  
535.520  
535.530  
535.535  
535.540  
535.550

Emergency Medical Technician - Paramedic Training - General  
EMT-P Testing  
Fee For Testing  
EMT-P Certification  
EMT-P Recertification  
Failure to Recertify-Denial of Recertification  
EMT-P Inactive Status  
Penalty

## SUBPART H: RECIPROCITY

SECTION  
535.600

Reciprocity

SUBPART I: SUSPENSION, REVOCATION AND DENIAL  
OF CERTIFICATION OF EMT'S

SECTION  
535.650

Suspension, Revocation and Denial of Certification of EMT's  
SUBPART J: DATA COLLECTION AND EVALUATION

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SECTION  
535.700

Data Collection and Evaluation

SECTION  
535.750

## SUBPART K: WAIVER PROVISIONS

Waiver Provisions

SUBPART L: REGISTERED PROFESSIONAL NURSE  
(FIELD RN/MICN)

SECTION  
535.800  
535.810  
535.820  
535.830  
535.840  
535.850  
535.860  
535.870

General Provisions  
Field RN Training  
Field RN Testing  
Field RN Approval  
Field RN Renewal  
MICN Training  
MICN Approval  
Reciprocity

## AUTHORITY:

Implementing and authorized by the Emergency Medical Services  
(EMS) Systems Act (111. Rev. Stat. 1987, ch. 111 1/2, pars. 5501  
et seq.).

## SOURCE:

Adopted at 5 Ill. Reg. 5570, effective May 19, 1983; amended and  
codified at 8 Ill. Reg. 11623, effective June 27, 1984; amended  
at 11 Ill. Reg. 1433, effective February 1, 1987; amended at 11  
Ill. Reg. 17219, effective October 15, 1987; amended at 11 Ill.  
Reg. 20945, effective December 15, 1987; amended at 12 Ill. Reg.  
22406, effective December 15, 1988; amended at 13 Ill. Reg. \_\_\_\_\_,  
effective \_\_\_\_\_.

NOTE: All statutory language appears in capital letters.

## SUBPART A: GENERAL

Section 535.20 Incorporated Materials

The following regulations, standards and statutes are incorporated or  
referenced in this Part.

a) Federal guidelines, statutes and regulations:

- 1) U.S. Code 42, The Public Health and Welfare, 42 USC 300 L-1(a).  
(See Section 535.100).



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- 2) Federal Specification for Ambulance, KKK-A-1822B (1985). (See Section 535.150).
  - 3) Emergency Medical Technician - Ambulance: National Standard Curriculum (1984). (See Sections 535.300(c) and (h); 535.310(a); 535.400(c) and (h); 535.410(a); 535.420(a) and (b); 535.500(c) and (e); 535.510(a) and (d) and 535.530(d).)
  - 4) United States Department of Transportation, Emergency Medical Technician - Intermediate: National Standard Curriculum (1985). (See Sections 535.400 (c) and (h); 535.410 (a); 535.420 (a) and (b); 535.430(b).)
  - 5) United States Department of Transportation, Emergency Medical Technician - Paramedic: National Standard Curriculum (1985). (See Sections 535.500 (c) and (e); 535.510 (a) and (d); 535.530 (c); 535.810(b) and (c); 535.850(a) and (b)).
  - 6) 47 CFR 90 (1988) (Section 535.60(a))
- b) State of Illinois Statutes:
- 1) Emergency Medical Treatment Act, (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 86 et seq.). (See Section 535.10). -AN  
Act-requiring-hospitals-to-render-hospital-emergency-services-in-case-of-injury-or-acute-medical-condition-and-implement-emergency-hospital-medical-and-surgical-services-on-a-community-or-area-wide-basis, (Ill. Rev. Stat. 1987, ch. 111-1/2, par. 86 et seq.). (See Section 535.10).
  - 2) Hospital Licensing Act, (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 142 et seq.). (See Section 535.10).
  - 3) Medical Practice Act of 1987, (Ill. Rev. Stat. 1987, ch. 111, par. 4400-14404 et seq.). (See Section 535.10).
  - 4) The Illinois Nursing Act of 1987 (Ill. Rev. Stat. 1987, ch. 111, par. 3501 et seq.). (See Section 535.10(e)).
  - 5) Code of Civil Procedure (Ill. Rev. Stat. 1987, ch. 110, par. 8-2101 et seq.). (See Section 535.700(g)).
- c) State of Illinois Regulations
- 1) Rules of Practice and Procedure for Administrative Hearings (77 Ill. Adm. Code 100). (See Sections 535.140(d) and 535.250(g)).
  - 2) Hospital Licensing Requirements (77 Ill. Adm. Code 250). (See

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Sections 535.10, 535.200(d) and 535.210(e)).

- d) All incorporations by reference of federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any additions or deletions subsequent to the date specified.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART C: LICENSURE OF AMBULANCES - GENERAL

## Section 535.150 Ambulance Licensing Requirements

## a) Vehicle Design

- 1) Each vehicle used as an ambulance after the effective date of this Part shall comply with the criteria established by the United States Department of Transportation's Specification for Ambulance (KKK-A-1822B), with the exception of the following sections: 1.2.1 Ambulance Type - "Star of Life"; 3.8.2 Ambulance Emergency Lightings; 3.16.2 Color, paint, and finish; 3.16.4 Emblems and Markings; and 3.22 as determined by the Department by an inspection.
- 2) Each vehicle that does not meet the United States Department of Transportation's Ambulance Design Standards (KKK-A-1822B) as determined by the Department by an inspection, but is operational on the effective date of this Part shall be considered to be in compliance with this Part until there is a transfer of ownership.

## b) Equipment Requirements - Basic Life Support Vehicles

Each ambulance used as a Basic Life Support vehicle shall meet the following equipment requirements, as determined by the Department by an inspection:

## 1) Stretchers, Cots &amp; Litters

## A) Primary Patient Litter

## i) Wheeled

## ii) At least 79" long and 20" wide

## iii) Allows for the head to be tilted upward to a 60° semi-sitting position



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- iv) Provided with fasteners to sidewall and floor
- v) Designed to insure the frame or handle to permit up to four persons to carry the litter
- B) Secondary Patient Litter
  - Shall be folding and/or collapsible type

## 2) Oxygen

## A) Installed

- i) Is supplied by at least 3000 liters of oxygen and tank is secured in at least 3 positions so as to provide maximum safety for patients and personnel. (M cylinder)
- ii) Is equipped with a reducing valve (from 2000 PSI cylinder to 50 PSI) with pressure gauge
- iii) Is equipped with yoke
- iv) Has a pressure gauge flowmeter that will deliver up to 15 liters per minute
- v) Has humidifier with sterile water and unbreakable clear containers
- vi) Has delivery tubes
- vii) Has oxygen outlet accessible to the technician at the head of the primary litter
- viii) Has one each adult, child and infant sized oxygen masks that are semi-open, valveless, transparent and disposable
- ix) Has 3 each nasal cannulas

## B) Portable

- i) Is of at least 300 litre capacity (D or E cylinder)
- ii) Is equipped with yoke
- iii) Has pressure gauge flowmeter (not gravity-dependent) that will deliver up to 10 litres per minute

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- iv) Has delivery tube
- v) Has one each adult, child and infant sized oxygen masks that are semi-open, valveless, transparent and disposable
- vi) Has an additional full 300 litre capacity cylinder carried on the vehicle (D or E cylinder)

## 3) Suction

## A) Installed

- i) Is powerful enough to provide an airflow of over 20 liter/minute at the end of the delivery tube and a vacuum of over 300 mm Hg (11.811 inches) when the tube is clamped
- ii) Has vacuum adjustable for use with children and intubated patients
- iii) Has suction yoke, unbreakable collection bottle, water for rinsing, and suction tube accessible to the technician at the head of the primary litter
- iv) Has tube of sufficient length to reach the head of the primary and secondary litters
- v) Is fitted with large-bore, non-kinking, translucent suction tubing
- vi) Has 3 each sterile, single-use suction catheters with on/off control in small, medium and large sizes
- vii) Has 3 each tonsil tip suction handles or catheters, single-use
- viii) Can be disassembled for ease of cleaning and decontamination

## B) Portable

- i) Is powerful enough to provide an airflow of at least 12 litres per minute at the end of the suction tube, and a vacuum of at least 300 mm Hg (11.811 inches) to be reached within 12 seconds after tube is clamped
- ii) Has 3 each tonsil tip suction handles or catheters,



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## single-use

- iii) Is fitted with large-bore, non-kinking, translucent suction tubing with sufficient length so that unit does not have to be placed on top of patient
- iv) Has an unbreakable collection bottle capable of holding at least 500 ml
- v) Has 3 each sterile, single-use suction catheters with on/off control in small, medium and large sizes
- vi) Operates from an integral battery supply which is rechargeable and will allow the unit to meet the air flow and suction requirements of this section for at least 15 minutes. Portable suction devices which require an operator to squeeze a bulb, pump a pedal, turn a crank, etc., are not acceptable

## 4) Medical Equipment

- A) Squeeze bag-valve-mask ventilation unit with transparent mask in sizes for adult, child/infant
- B) Lower-extremity traction splint, adult size
- C) Blood pressure cuff, 1 each, adult and pediatric
- D) 2 each stethoscopes
- E) Pneumatic counterpressure trouser kit, adult size
- F) Long spine board with 2 each torso straps, 9 feet in length, wrist restraint(s), 1 each chin and head strap
- G) Short spine board with 2 each torso straps, 9 feet in length, wrist restraint(s), 1 each chin and head strap or vest type (wrap around) extrication device kit
- H) Airway kits-select one (1)
  - i) Oropharyngeal-adult, child and infant sizes
  - ii) Mouth-to-mouth artificial ventilation - adult, child and infant sizes, commonly referred to as "S" tubes or resusci-tubes
- I) Bandage shears, 1 each

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- J) Padded board splints, 2 each 15"x3" (or equivalent)
  - K) Padded board splint, 1 each 4'6"x3" (or equivalent)
  - L) Rigid cervical collars - 1 each, small, medium and large sizes. Shall be made of rigid material to minimize flexation, extension and lateral rotation of the head and cervical spine when spine injury is suspected
  - M) Sand bags - 4 each, about 4 inches in width, 2 inches in thickness and 12 inches in length
  - N) Patient restraints, arm and leg, sets
  - O) Hypothermic thermometer or electronic thermometer capable of aiding in the diagnosis of hypothermia - 1 each
- 5) Medical Supplies
- A) Trauma dressing - 6 each
  - B) Sterile gauze pads - 20 each, 4 inches by 4 inches
  - C) Bandages, soft roller, self adhering-type, 10 each, 6 inches by 5 yards
  - D) Vaseline gauze - 2 each, 3 inches by 8 inches
  - E) Adhesive tape rolls - 2 each
    - F) Triangular bandages or slings- 5 each
  - G) Burn sheets - 2 each, sterile
  - H) Sterile solution (normal saline) - 4 each, 500 cc or 2 each, 1,000 cc plastic bags
  - I) Aluminum foil roll or Silver Swaddler - 1 each
  - J) Bite sticks - 2 each
  - K) Obstetrical kit, sterile - 1 each, pre-packaged with instruments
  - L) Syrup of Ipecac, 1 each
  - M) Cold packs, 3 each



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- N) Emesis basin - 1 each
- O) Drinking water - 1 quart, in non-breakable container, Sterile water may be substituted
- P) Disposable drinking cups - 5 each
- Q) Ambulance emergency run reports - 10 each, with space for the following minimum information:
- i) Signatures of EMTs present on the ambulance run and their Illinois certification numbers or identifier numbers
  - ii) Time left garage
  - iii) Time on scene/time left scene
  - iv) Time arrived at receiving facility
  - v) Six-digit ambulance license number (Secretary of State issued)
  - vi) Blood/pressure, pulse and respiration of the patient upon arrival at the scene
  - vii) Level of consciousness
  - viii) Chief complaint of the patient
  - ix) Treatment rendered by the EMTs present
- R) Pillows - 2 each, for ambulance cot
- S) Pillowcases - 2 each, for ambulance cot
- T) Sheets - 2 each, for ambulance cot
- U) Blankets - 2 each, for ambulance cot
- V) CPR mask - 1 each, with safety valve to prevent backflow of expired air and secretions
- W) Hot packs - 3 each
- X) Urinal - 1 each
- Y) Bedpan - 1 each

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- Z) Remains bag - 1 each
- c) Equipment Requirements - Intermediate and Advanced Life Support Vehicles
- Each ambulance used as an Intermediate Life Support vehicle or as an Advanced Life Support vehicle shall meet the requirements in Section 535.150(b) and shall also comply with the equipment and supply requirements as determined by the Project Medical Director in the System in which the ambulance and its crew participate.
- d) Equipment Requirements - Rescue and/or Extrication
- Each ambulance shall document the mechanism and agency that provides rescue services, and carry the following:
- 1) Wrench, 12" with adjustable open end
  - 2) Screwdriver, 12" with regular blade
  - 3) Screwdriver, 12" Phillips type
  - 4) One of these:
    - A) Hammer, 3-pound, with 15" handle
    - B) Fire axe, flat head
    - C) Wrecking bar, 24"
  - 5) Goggles for eye safety
  - 6) Fire extinguisher - 2 each, ABC dry chemical, minimum 5 pound unit with quick release brackets. One mounted in driver compartment and one in patient compartment
  - 7) Flashlight - 1 each, battery powered 6 volt, stand-up lantern type
- e) Equipment Requirements - Communications Capability
- Each ambulance must have ambulance to hospital radio communications capability and meet the requirements provided in Section 535.50 of this Part.
- f) Personnel Requirements
- 1) Each ambulance shall be staffed by a minimum of two EMTs, Field



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RNs or physicians on all emergency calls.

## SUBPART D: EMERGENCY MEDICAL SERVICES SYSTEM PROGRAM

2) Each ambulance used as an Intermediate Life Support vehicle shall be staffed by with a minimum of one EMT-I, Field RN or physician and one other EMT-I, Field RN or physician. Each ILS vehicle using defibrillation shall be staffed by a minimum of one EMT-I approved by the Project Medical Director for defibrillation, a Field RN or physician and one other EMT, Field RN or physician. Each ambulance used as an Advanced Life Support vehicle shall be staffed by with a minimum of one EMT-P, Field RN or physician and one other EMT, Field RN or physician.

3) Each ambulance provider that operates an emergency transport vehicle shall ensure through written agreement with the EMS System that the agency providing emergency care at the scene and en route to a hospital meets the requirements of this Subpart.

## g) Operational Requirements

1) Each licensee agrees to operate the ambulance in compliance with this Part, twenty-four hours a day, every day of the year.

2) The licensee agrees to provide emergency service within the service area on a per need basis without regard to the patient's ability to pay for such service.

3) The licensee shall provide documentation of mutual aid agreements with services in adjoining communities and/or other services within the service area for alternate methods of providing services.

h) AGENCY NOTE: Any provider may request a waiver of any requirements in this Section under the provisions of Section 535.750. Examples of situations in which waivers of the requirement that ambulances carry pneumatic counterpressure trouser kits will be granted are as follows: When the Department is notified that a hospital or Project Medical Director will not order the use of a pneumatic counterpressure trouser kit or M.A.S.T. trousers by emergency medical personnel on a Basic Life Support Vehicle; and that a waiver is necessary to allow adequate time or progressive procurement of the pneumatic counterpressure trouser kits over a period of one to three years for those ambulance agencies that claim financial hardship.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 535.200 Emergency Medical Services System Program - General

- a) The provisions of this Subpart shall apply to all hospitals, ambulance providers and personnel participating in the delivery of Advanced Life Support/Mobile Intensive Care and/or Intermediate Life Support/Mobile Intensive Care to the sick and injured at the scene of an emergency, during transport to a hospital or during inter-hospital transport, and within a hospital emergency department until the responsibility for the care of the patient is assumed by the medical personnel at the receiving hospital.
- b) The emergency care described in Subsection 535.200(a) shall only be offered or rendered through an approved Emergency Medical Services (EMS) System. An EMS System shall not become operational nor shall any training of System personnel begin until a letter of approval has been issued by the Department.
- c) An applicant for EMS System approval shall submit to the Department three copies of a written System Program Plan signed by the Project Medical Director which includes all of the information and documentation required by Section 535.210 of this Subpart.
- d) An approved System which desires to modify its System Program Plan shall submit to the Department a written amendment signed by the Project Medical Director, along with a written statement of approval from its AHES Committee if applicable. A System shall not implement a modification to its approved Program Plan until a letter of approval has been issued by the Department.
- e) After receiving a Program Plan for a proposed EMS System or an amendment to an approved System Program Plan, the Department shall notify the applicant or System within thirty (30) days if its Program Plan or amendment is incomplete. Such notice shall include a description of the information or documentation needed to complete the Program Plan or amendment.
- f) After receiving a complete Program Plan for a proposed EMS System or amendment to an approved System Program Plan, the Department shall issue a letter of approval or disapproval within 120 days. A letter of disapproval shall include the reasons for disapproval. The Department shall approve EMS Systems which meet the requirements of this Part and the Act.
- g) The Department shall not review requests for equipment or training grants until a letter of approval has been issued by the Department.



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- h) The Department shall inspect, pursuant to a complaint filed with the Department or as it deems necessary to verify compliance with the Act and this Part, any equipment, records or vehicles used or maintained by a proposed or approved EMS System or by any provider participating in a proposed or approved EMS System. Routine inspections shall be conducted no more often than every three years. ~~inspections are performed on an annual-and-complaint-basis.~~
- i) Letters of commitment required in Section 535.210 shall be updated at least every three years.
- j) A hospital is not required to join an AHES committee. However, if it has elected to do so, the hospital shall comply with its commitments as outlined in the plan administered by the AHES committee and shall be subject to the provisions of Sections 535.200 (d), 535.210(e) and 535.220 of this Part.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 535.240 Minimum Standards for Continuing Operation

- a) The Resource Hospital and all System participants shall comply with the terms of the EMS System Program Plan, the System Manual, their respective letters of commitment and any applicable provisions of the Act or this Part;
- b) All EMS System personnel and ambulances shall maintain their certifications, licenses and approvals;
- c) The System may participate in the AHES plan for its area;
- d) The Resource Hospital shall submit to the Department an annual report summarizing System activity; for newly approved Systems, a report covering the first six (6) months of operation shall also be submitted. The report shall include but not be limited to the following items:
- 1) The number of ALS runs,
  - 2) The number of BLS runs,
  - 3) The number of ILS runs if applicable,
  - 4) The average response time,
  - 5) The number and types of System personnel trained;
- e) The Department may suspend or revoke the approval of any EMS System, when its findings show that the System is in violation of one or more of the requirements of this Section. Suspension or revocation depend on the nature of the problem, which rules are violated, severity and number of times.

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- 1) Such suspension or revocation shall be preceded by notice and an opportunity for a hearing served upon the Project Medical Director by certified mail or personal service.
- 2) The notice shall set forth the reasons for the proposed suspension or revocation and shall afford the Project Medical Director fifteen (15) days from the date of mailing or personal service to make a written request for an administrative hearing. The PMD's failure to file a written request for a hearing within fifteen (15) days shall be considered a waiver of the System's right to a hearing on the proposed suspension or revocation.
- 3) All hearings shall be conducted in accordance with the Department's Rules of Practice and Procedure for Administrative Hearings (77 Ill. Adm. Code 100).

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART F: EMERGENCY MEDICAL TECHNICIAN-INTERMEDIATE TRAINING (EMT-I)

## Section 535.400 Emergency Medical Technician-Intermediate Training - General

- a) Applications for Approval of EMT-I Training Programs shall be filed with the Department on forms prescribed, prepared and furnished by the Department. The application shall contain such information as, but not limited to, name of applicant, agency and address, type of training program, lead instructor's name and address, dates of training program, name and signature of physician and other information that will be required by the Department for the proper administration and enforcement of the Act and this Part.
- b) Applications for Approval shall be submitted at least thirty (30) days in advance of the first scheduled class.
- c) The Project Medical Director of the EMS System shall attest on the Department's application form that the training program shall be conducted according to the Federal Department of Transportation's current National Standard Curriculum. EMT-I training programs in operation on the effective date of this Part shall provide a written statement to the Department signed by the Project Medical Director and the EMS System Coordinator that the program is conducted in accordance with the national curriculum and shall thereby be exempt from submitting an application for approval.
- d) The EMT-I training program will be under the direction of the Project







completed the training described in Section 535.400 (h) of this Part shall require the EMT-I to pass both a written and a practical examination prior to receiving such authorization. The examinations shall be developed and evaluated by the Project Medical Director or designee. The Project Medical Director may approve an EMT-I for defibrillation if such examinations reflect that the EMT-I possesses the required knowledge and skills to safely and effectively defibrillate.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 535.420 EMT-I Certification

a) In order to be certified by the Department as an EMT-I, an individual must:

- 1) Be eighteen (18) years of age or older.
- 2) Have completed a Department approved training program and successfully passed the required testing procedures of the resource hospital and the Department.
- 3) Be currently certified as an EMT-A.
- 4) Have received a letter of recommendation from the Project Medical Director stating that all the requirements of Section 535.420(a) have been complied with.
- 5) Be employed by, or functioning within a State approved EMS vehicle agency (e.g. volunteer fire departments) providing intermediate life support services.
- 6) Within six (6) months of successful completion of the State certification exam, must have completed the necessary field experience required by the EMS training program as approved by the Project Medical Director in accordance with the National Standard Curriculum on an approved EMS vehicle supervised by a certified EMT-I or EMT-P with one year's experience, a registered professional nurse designated by the Project Medical Director, or a physician with critical care knowledge and experience on an EMS vehicle.

b) The Department will certify those individuals who meet the requirements of this Section for a period of two (2) years.

c) EMT-I certification is acceptable as EMT-A certification. More than one level of EMT certification will not be permitted.

d) Only EMT-Is who have successfully completed a Department-approved training program and have been approved by the EMS System Project Medical Director will be allowed to defibrillate.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 535.430 EMT-I Recertification

a) In order to be recertified as an EMT-I,

- 1) The holder of a certificate as an EMT-I must file with the Department an application for renewal on a form prepared by the Department at least thirty (30) days prior to the two (2) year certification expiration date.
  - A) The submission of a transaction card (Form No. IDPH-DP .01 1-85) by the Project Medical Director will satisfy the renewal application requirement for a certificate holder who has been recommended for recertification by the Project Medical Director.
  - B) A certificate holder who has not been recommended for recertification by the Project Medical Director must independently submit to the Department an application for renewal. The Project Medical Director shall provide the certificate holder with a copy of the appropriate form to be completed.

2) A written recommendation signed by the Project Medical Director must be provided to the Department regarding completion of the following requirements:

- A) A minimum of twenty (20) hours attendance at refresher training programs.
  - B) A current CPR certificate.
  - C) Forty-eight (48) hours of continuing education, seminars and workshops, twelve (12) hours of which were be directed at the intermediate skills, plus any System continuing education requirements for EMT-Is approved to defibrillate.
  - D) Employment by or functioning with a State approved EMS vehicle agency providing intermediate life support services.
- b) Composition of continuing education programs shall be submitted to



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the Department for approval not less than sixty (60) days prior to the scheduled event. Program approval will be granted provided the program is conducted in accordance with guidelines of the Federal Department of Transportation's current national curriculum and contains material relevant to EMT-I's.

c) The certification of an EMT-I who has failed to file an application for renewal, or whose application for renewal has been denied by the Department, shall terminate on the day following the expiration date shown on the certificate.

d) At any time prior to the expiration of the current certificate, the EMT-I may revert to the EMT-A status for the remainder of the certification period. The EMT-I must make this request in writing to the Department. To recertify at the EMT-A level, the individual must meet the requirements for recertification found in Section 535.330.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART L: REGISTERED PROFESSIONAL NURSE (FIELD RN/MICN)

Section 535.800 General Provisions

The Project Medical Director shall submit to the Department, as part of the EMS System Program Plan or as an amendment to an approved System Program Plan, a complete description of the System's requirements for training, testing, approval, renewal of approval and use of Field RNs and MICNs.

(Source: Added at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 535.810 Field RN Training

Field RN training shall include successful completion of the following:

- a) A course in extrication training which is based upon the United States Department of Transportation, National Standard Curriculum for EMT-Ambulance.
- b) A course which is based upon the United States Department of Transportation, National Standard Curriculum for EMT-Paramedic, Division 1, Pre-Hospital Environment, Sections 1 through 7.
- c) The American Heart Association Advanced Cardiac Life Support (ACLS) course or a course in dysrhythmia identification, therapeutic modalities, pharmacokinetics, intubation, defibrillation and

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management of cardiac resuscitation which is based upon the ACLS course.

d) A pre-hospital trauma course, which shall be EITHER TRAUMA NURSE SPECIALIST OR NURSE TRAUMA LIFE SUPPORT OR THEIR EQUIVALENTS AS APPROVED BY THE PROJECT MEDICAL DIRECTOR (Section 4.21 of the Act) and

e) Other training as required by the Project Medical Director, which may include a field internship.

(Source: Added at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 535.820 Field RN Testing

Upon completion of training, the Field RN shall be required to pass both didactic and practical examinations. If such examinations are required for EMT-Ps within the System, the Field RN examinations shall cover the Field RN training components and be otherwise equivalent to the EMT-P examinations.

(Source: Added at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 535.830 Field RN Approval

a) To be approved as a Field RN by the Project Medical Director of the EMS System, an applicant shall be a registered nurse, licensed under the "Illinois Nursing Act", and shall have successfully met the requirements of Sections 535.810 and 535.820 of this Part.

b) The approval shall be for a period of two years.

c) The Project Medical Director shall sign and issue to the approved applicant a Field RN card. The card shall be developed by the Department and provided to the Project Medical Directors.

d) All Project Medical Directors shall submit the names of approved Field RNs to the Department and shall inform the Department of any changes in the status of approved Field RNs.

(Source: Added at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 535.840 Field RN Renewal

Field RN approval shall be renewed by the Project Medical Director upon successful completion of forty (40) hours of continuing education in each of the previous two years (80 hours total), the content of which shall be consistent with the System's continuing education requirements for EMT-Ps.



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(Source: Added at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 535.850 MICN Training

MICN training shall include successful completion of the following:

- a) A course in telemetry and communications training which is based upon the United States Department of Transportation, National Standard Curriculum for EMT-Paramedic.
- b) The American Heart Association Advanced Cardiac Life Support (ACLS) course or a course in dysrhythmia identification, therapeutic modalities, pharmacokinetics, intubation, defibrillation and management of cardiac resuscitation which is based upon the ACLS course.
- c) A pre-hospital trauma support course as approved by the Project Medical Director, and
- d) Other training as required by the Project Medical Director.

(Source: Added at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 535.860 MICN Approval

- a) To be approved as a MICN by the Project Medical Director of the EMS System, an applicant shall be a registered nurse, licensed under the "Illinois Nursing Act", and shall have successfully met the requirements of Section 535.850 of this Part.

- b) All Project Medical Directors shall submit the names of approved MICNs to the Department and shall inform the Department of any changes in the status of approved MICNs.

(Source: Added at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 535.870 Reciprocity

The Project Medical Director may develop and implement, as part of the EMS System Plan, a reciprocity policy for Field RNs and/or MICNs who have been approved by other EMS Systems.

(Source: Added at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF PROPOSED RULE

- 1) Heading of the Part: Non-Homemaker Service Provider Requirements

- 2) Code Citation: 89 Ill. Adm. Code 714

- 3) Section Numbers: Proposed Action:  
714.10 amendment  
714.20 amendment  
714.30 amendment  
714.40 new Section

- 4) Statutory Authority: Implementing and authorized by Section 3(g) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, ch. 23, par 3434(g))

- 5) A Complete Description of the Subjects and Issues involved: This rulemaking changes the name of the Home Services' service of Emergency Response Service to Electronic Home Response Service and provides requirements for the EHRS providers.

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date?  
Yes ☒ No ☐

- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation  
714.310 amendment 12 Ill. Reg. 13952

- 10) Statement of Statewide Policy Objectives (if applicable):  
Not Applicable

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: All persons who submit a written request to comment within fourteen (14) days after this notice has been published shall be given a reasonable opportunity to submit data, views, argument or comments about this rulemaking. All such submissions shall be made within forty-five (45) days after this notice has been published. Any comments submitted within forty-five (45)



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days after this notice has been published will be considered by the Department. All requests and comments should be submitted in writing to:

Ms. Leigh Reed  
Regulations and Procedures Section  
Department of Rehabilitation Services  
P.O. Box 19429  
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896  
T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department shared this information with EHRS vendors for comments. Their comments are included in this proposed rule.

The full text of the Proposed Rule(s) begins on the next page:

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES  
SUBCHAPTER b: VOCATIONAL REHABILITATION

## PART 714

## NON-HOMEMAKER SERVICE PROVIDER REQUIREMENTS

SUBPART A: EMERGENCY ELECTRONIC HOME RESPONSE SERVICES  
PROVIDER ~~VENDOR~~ REQUIREMENTS

## Section

714.10 Minimum Performance Standards

714.20 Emergency Electronic Home Response Center (EHRC) Equipment Specifications (Central Station Receiving Equipment)

714.30 Emergency Electronic Home Response Service (EHRS) Home Unit Specifications

714.40 Compliance Requirements

## SUBPART B: DAY CARE SERVICE PROVIDER REQUIREMENTS

## Section

714.100 Staffing of Adult Day Care Service Component

714.110 Standard Requirements for Adult Day Care Providers

714.120 Adult Day Care Staff Positions, Qualifications and Responsibilities

## SUBPART C: PERSONAL CARE PROVIDER REQUIREMENTS

## Section

714.300 Personal Care Provider (PCP) Standards

AUTHORITY: Implementing and authorized by Section 3(g) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1985, ch. 23, par. 3434(g))

SOURCE: Adopted at 11 Ill. Reg. 7413, effective April 7, 1987; amended at 11 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 714.10

## Minimum Performance Standards

- a) An Emergency Electronic Home Response Service (EHRS) ~~vendor~~ provider employee or volunteer installs the home unit, tests it and instructs the client in its use. These functions may not be subcontracted. The ~~vendor~~ provider must be able to meet emergency needs for service and provide service within 48 hours from the initial referral.



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- b) The EHRS vendor provider and client arrange for several local emergency responders acceptable to the client and the EHRS vendor provider provides instruction for them as to their role in EHRS.
- c) The Emergency Electronic Home Response Center (EHRC) provides 24-hour monitoring, responding promptly to incoming signals by calling the client and emergency responders and providing back-up assistance to insure proper handling of each emergency.

- d) The EHRS vendor provider shall instruct the client at the time of installation to call the EHRS vendor provider:

- 1) monthly, to test the equipment; (If no monthly call is received, the provider must contact the client to ensure that the equipment is working.);
- 2) to request re-instruction in the use of the equipment, if necessary; and
- 3) to update the information file.

- e) The EHRS vendor provider must repair or replace a malfunctioning unit in the subscriber's home within 24 hours of reporting the malfunction. This function can not be subcontracted.

- f) The EHRS vendor provider maintains records of all emergencies, tests, or events including hospitalization of clients, when as a result of incoming signal. These records must include the date and type of all emergencies, tests, or other events, and the vendor's provider's response to the incoming signal.

- g) In the event of an emergency, the EHRS vendor provider must notify the client's referring physician, Home Service Program counselor, social worker or designated responders provided by the client within 24 hours of the event.

- h) The Home Services Counselor will be contacted, as well as the client or responsible family member at least 48 hours prior to termination of services should the client be unable to operate the home remote control. This determination to terminate services is made by the vendor provider based on direct observation by or

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information from the client, family members, vendors, and medical personnel. This contact must be followed up with a written verification, to the counselor, documenting the termination of services and its justification.

- i) The EHRS vendor provider shall accept all cases referred for services by the Department.

(Source: Amended at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 714.20 Emergency Electronic Home Response Center (EHRC) Equipment Specifications (Central Station Receiving Equipment)

## a) General Description

The EHRC equipment must be capable of receiving and displaying signals from the Home Communicator. It must have features to draw attention to incoming signals and to maximize reliability. The signal line to the response center can be cost free to the user but a long distance charge may be billed if the client does not reside in the area of the center.

- b) Minimum performance standards which must be met:

- 1) The EHRC is a redundant computer-based digital receiving system designed to automatically answer incoming signals on a dedicated switched network telephone line, and display and print the messages, time, and date. A back-up battery power supply will take over should there be loss of line power or a single circuit failure.

- 2) The primary receiver and back-up receiver are completely independent. Signals can be received and processed with only one of the receivers on line. When a call comes in to the EHRC the receiver will verify it is on line by sending a "ready" signal. Should one receiver fail, the other will automatically take over and receive and process the call.



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- 3) The EHRC displays and prints the time and date of the emergency signal, the client identification code, and describes the emergency in words or in coded format.
- 4) The back-up power supply provides in excess of 8 hours of emergency response center operation in the event of alternating current (AC) power failure.
- 5) The telephone line monitor gives audible and visual signals if the incoming telephone line is out of service for more than 1 minute.
- 6) The equipment is capable of identifying every client account.
- 7) The unit is self monitoring, indicating the status of fault conditions that exist, such as AC power out, phone line out, call received but no message, receiver inoperative, etc.
- 8) The EHRC is certified under the Federal Communications Commission's (FCC) regulations 47 CFR 15 and 68, October 1, 1985, with no later amendments.

(Source: Amended at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 714.30 Emergency Electronic Home Response Service  
(EHRS) Home Unit Specifications

## a) General Description:

Home units are attached to an individual's home phone line and are programmed in such a way that, in an emergency, a client can press a small, wireless, remote switch or button (The type of home unit remote control can vary, based on client's needs to instead utilize sip and puff, patient down, or other features.) which he/she wears and which will activate the unit to summon help. The unit must have the ability to send a separate signal after a period of inactivity in the home and another signal when help arrives at the individual's home.

## b) Minimum Performance Features For Home Unit:

- 1) Two components are involved. The first is a small, wireless Personal Help Button. The second is a communicator which is attached to the person's phone line and, when activated, will dial a predetermined phone number and send an electronic message. There may be a long distance charge if client does not reside in area of EHRS.
- 2) Personal Help Button  
The Personal Help button is sufficiently small to be worn as a pendant or like a wristwatch. It must have the following characteristics:
  - A) Crystal or Surface Acoustic Wave resonator (SAW) controlled transmitter frequency for long term reliability.
  - B) Digital encoding for 10 or more combinations.
  - C) When pressed (activated), it will activate the person's Home Communicator within 175 feet.
  - D) Internal battery life of 5 years.
  - E) Low battery signal transmission.
  - FF) Certification under 47 CFR 15, October 1, 1985, with no later amendments.
- 3) Minimum standards required of the communicator are:
  - A) The communicator is an integrated unit for the home that connects to the person's phone line through a modular jack, and to the alternating current power source through an Underwriters Laboratory and/or Canadian Standards Authority approved plug-in transformer.
  - B) The communicator is attached to the telephone line and does not interfere with normal use of the telephone. It has the capability of automatically seizing the telephone line,



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even when an extension phone is off the hook, dialing the number of the EHRC and sending a digital message identifying the person signaling, and, if applicable, indicating whether the signal is an active emergency (button pressed); passive emergency timer goes out; or reset signal.

- C) The communicator looks for a "ready" signal to insure that it is on line with the EHRC and a "confirmation" signal to insure that the message has been verified. If either of these signals is not received, the unit will "hang up" and try again.

- D) The system is useful to both the visually and hearing impaired. When the communicator is activated, it gives both visual and audible indications of the alarm condition. The receipt of a "confirmation" signal also gives additional audible and visual indications. A visual flashing light prompts the responder to activate the "reset" function.

- E) The controls of the communicator are easily explained and used by persons with disabilities. It is must be possible to abort signals, however the abort switch or button is on the underside to prevent the unit from being turned off or aborted inadvertently.

- F) The timer is designed into the communicator and does not require additional wiring or components for the reset functions. When the communicator is installed, the timer can be turned off or set at intervals such as 12 or 24 hours. The timer is reset when the manual reset button is pressed. Prior to sending a "time-out" alarm, the communicator will give visual and audible signals for five minutes, prompting the client to reset the timer. The timer can be turned off when the client leaves home without affecting the other modes of operation required under Subsection (b)(3).

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- F) The communicator has a battery to provide at least 12 hours of operation in the event of a power failure. This battery is continuously charged when power is on. Should the battery become discharged, the communicator will send in a coded message to indicate a low battery condition.

- HG) The communicator must be certified under 47 CFR 68 and 15, October 1, 1985, with no later amendments.

(Source: Amended at Ill. Reg., effective           .)

## Section 714.40 Compliance Requirements

In order to participate in the Department of Rehabilitation Services (DORS) Home Service Program, the provider agrees to meet the following minimum requirements which shall be reviewed annually for compliance.

## a) Organization and Administration

The provider shall make available, upon request, its articles of incorporation, or if unincorporated shall provide a statement of purpose and functions. The provider will make available, upon request, the names and addresses of owners, or its officers and directors.

## b) Policies

The provider shall have written policies approved by its governing authority and available for review by consumers and purchasers of the service. Such policies shall include:

- 1) Service Provided - Policy shall designate the type and scope of service provided. When more than one type of service is offered, there shall be a clear distinction between each type provided.
- 2) Personnel Policies - Personnel policies shall be in writing and adopted by the provider's governing authority. Policies shall cover salary schedules, hours of work, sick leave, provision for handling grievances, and requirements for attendance at



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work conferences. There shall also be written job descriptions identifying required qualifications and duties for each job title.

c) Records and Reports

Reporting shall reflect information needed by the provider to plan, budget, administer, interpret and evaluate the program as follows:

1) Records shall be maintained of all referrals and requests for service and their disposition;

2) Client records shall include:

A) Dates and times of client active or inactive signalling and name of responder to each emergency signal;

B) Dates of monthly test calls from client to provider or from provider to client; and

C) Disposition of each emergency signalled.

3) Administrative records shall include:

A) Service statistics and

B) Billing and payment records.

4) Personnel records of EHRS center staff shall include:

A) Schedules and attendance records for all EHRS center staff;

B) Attendance by EHRS staff at in-service training; and

C) Annual performance evaluations.

5) The above records shall be kept for at least five years or until all state and federal audits are completed. Authorized representatives of DORS and the U.S. Department of Health and Human Services shall have access to all records of the provider, the parent company, subsidiary agency and other interlocking company(s) as they relate to the agreement.

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d) Evaluation

The provider shall have procedures for annual evaluation of their service, including both program and case evaluation procedures. The program evaluation shall consist of assessment of quality of service with specific recommendations to its governing authority for improving the service. Evaluation procedures shall provide for assessment of the effectiveness of the service in individual case situations as viewed by both the client and the provider.

e) Services

The provider shall agree to provide EHRS services as specified in Sections 714.10-714.30.

f) Liability

1) DORS assumes no liability for actions of the provider under the Rate Agreement.

2) The provider agrees to hold harmless DORS against any and all liability, loss, damage, cost or expenses arising from wrongful or negligent acts of provider, which DORS may sustain, incur or be required to pay.

3) The provider certifies that it has and will maintain adequate liability insurance coverage.

4) The provider agrees to provide to DORS a copy of the Certificate of Insurance.

g) Applicable Law

The provider agrees to comply with all local, state and federal laws, regulations, and standards and DORS regulations and standards pertaining to this program.

h) Non-discrimination

The provider agrees to comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), Section 504 of the Rehabilitation Act of 1973, as amended (34 CFR 104, 1980), the Illinois Human Rights Act (Ill. Rev. Stat. ch. 68, pars. 1-101, et seq.), the Constitution of the United States, the 1970



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Constitution of the State of Illinois and any laws, regulations or orders, state or federal, which prohibit discrimination on the grounds of race, color, sex, religion, national origin, ancestry, age, marital status, inability to speak or comprehend the English language, physical or mental handicaps, or unfavorable discharge from military service.

i) Confidentiality

The provider agrees that any information obtained concerning DORS clients shall remain confidential. The provider agrees not to disclose any such information without prior written approval of the Director of DORS and only for the purposes directly connected with the administration of the program and services, or as may be required by state or federal law.

j) Certification of Non-bribery

The provider certifies that the provider has not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois, nor has the provider made an admission of guilt of such conduct which is a matter of record, nor has any officer, official, agent, or employee of the provider been so convicted or made such an admission.

(Source: Added at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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- 1) Heading of the Part: Corridors of Opportunity Program
- 2) Code Citation: 14 Ill. Adm. Code 630
- 3) Section Numbers: Adopted Action:  
630.20 Amendment  
630.40 Amendment
- 4) Statutory Authority: Implementing Section (4.)(3.) of the Corridors of Opportunity and Development Act (Ill. Rev. Stat. 1987, ch. 127, par. 3404) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.42).
- 5) Effective Date of Amendments: March 16, 1989
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Do these amendments contain incorporations by reference? Yes, under Section 6.02(a) of the Illinois Administrative Procedure Act.
- 8) Date Filed in Agency's Principal Office: March 14, 1989.
- 9) Notice of Proposal Published in Illinois Register: March 18, 1988, 12 Ill. Reg. 4987.
- 10) Has JCAR issued a Statement of Objections to these amendments? No.
- 11) Differences between proposal and final version:

Updated all statutory citations in the Authority Note and throughout the text of the rulemaking to reflect the 1987 edition of the Illinois Revised Statutes.

Section 630.20(b)

After the first sentence inserted the following language: "Approved activities become the Scope of Work in the grant agreement."

Section 630.20(c)(3)

In subsection (A) changed the comma after the word "sources" to a semicolon and capitalized "state general revenue".

Proposed Section 630.20(c)(3)(B) rewritten as follows: "be within the parameters of the Scope of Work;"

Section 630.20(c)(3)(C) deleted and remaining subsections relabeled accordingly.

In Section 630.20(c)(3)(C) (previously labeled (D)) replaced "personal service match" with "cash or in-kind match which is comprised of



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personal services".

Section 630.20(c)(3)(D) (previously labeled (E)) rewritten as follows: "not be a general expense incurred by the grantee in carrying out overall responsibilities other than those required under this program."

Section 630.40(a)(2)

In the first sentence inserted a comma after the word "budget".

Inserted the following language as the second sentence: "The Department will grant approval to modify budgeted amounts and Scope of Work when the modification is necessary to achieve program objectives or will result in greater program efficiencies."

In the last sentence of the subsection, deleted the comma following "funds".

Section 630.40(a)(3)

In the first sentence inserted "by more than 5% of the total budget" after the word "activity".

In the 14th line replaced the comma after "budget" with a period and inserted the phrase "Such costs" after that period.

Added as the 6th sentence: "The grantee must provide documentation that it cannot meet the cost of an activity without additional funds and that funds may be transferred from another activity without adversely affecting the project."

In Section 630.40(a)(4) replaced "make a budget transfer" with "incur costs in excess of a particular line item".

In Section 630.40(a)(4)(B) inserted "(see subsection (a)(2))" after the word "Department".

Rewrote Section 630.40(a)(4)(C) to read: "This type of line item transfer (5%) does not change the total approved budget. The line item budget changes only when a modification is submitted and approved (see subsection (a)(2))."

In Section 630.40(b) inserted "(i.e., letters of commitment from sources of match)" after "matching funds".

Changed "an" to "a" in the first line of Section 630.40(b)(1).

Lined through the period at the end of Section 630.40(c)(6).

In Section 630.40(c)(7) deleted ", etc."

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Section 630.40(e)(1)

Inserted the following language as the second sentence of the subsection: "The equipment must be necessary to carry out the objectives of the project and must be included in the line item budget."

In the 18th line inserted "nonexpendable personal property is" after "When" and inserted a comma after "original purpose" in the 19th line.

Added "In such instances," as an introductory phrase to the sentence that begins "[t]he Department may authorize..." in line 24.

In the 29th line inserted "(i.e., percentage of equipment cost paid from non-grant funds multiplied by the value of the equipment at the time of disposition)" after the words "market value".

Inserted, before the last sentence, the following: "If the grantee receives Department approval to sell or trade-in equipment, it shall be reimbursed for its share of the market value plus costs incurred in the disposition."

In the last sentence deleted "such" before the word "costs".

Section 630.40(g)

Added ", as amended by P.A. 85-1214, effective August 30, 1988" after the cite to the Illinois Grant Funds Recovery Act in the first sentence.

The second sentence has been rewritten as follows: "However, interest earned on grant funds may be retained by the grantee when the grantee determines the cost of accounting for the interest or allocating the interest to the grant principal is equal to or greater than the interest earned."

Section 630.40(h)

In the sixth and ninth lines inserted "it's" before "selected".

Inserted as sentence 4 the following: "Any firm that has been debarred or suspended by the federal government in accordance with rules issued by the Office of Management and Budget entitled "Guidelines for Government-Wide Debarment and Suspension (Non-procurement)" (52 FR 20360-20369, May 29, 1987) will be deemed unacceptable by the Department."

Deleted the 13th sentence.

Deleted the phrase "and 47 Ill. Adm. Code 1.160" from Section 630.40(i).



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Inserted "of the termination or suspension" after "effective date" in Section 630.40(m)(4).

Added a third sentence to Section 630.40(n)(2) which reads: "The material will be approved if it is accurate, complies with subsections (n)(3) and (n)(4), and is within the Scope of Work."

Renamed Section 630.40(p) "Domestic Travel" and expanded the subsection to address submission of a "Travel and Trade Show Request" form for such travel.

Deleted the proposed Section 630.40(q). Replaced it with a subsection entitled "International Travel" which cites the requirements of subsection (p) and specifies additional provisions applicable only to international travel.

In Section 630.40(r) inserted "Section 5 of" before "the Illinois Grant Funds Recovery Act".

Section 630.40(u) rewritten to state "For the purpose of this Part, additional provisions specified in 47 Ill. Adm. Code 1.30 and 1.130(f) are applicable".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

13) Will these amendments replace an emergency amendment currently in effect? No.

14) Are there any amendments pending on this Part? No.

15) Summary and Purpose of Amendments: Pursuant to agreements reached with the Joint Committee on Administrative Rules during a previous departmental rulemaking, Sections 630.20 and 630.40 of the "Corridors of Opportunity Program" rules are being amended to include provisions of the program's grant agreement. Applicable provisions of 47 Ill. Adm. Code 1 have been incorporated by reference while those unique to the program are specifically stated in these rules.

16) Information and questions regarding these adopted amendments shall be directed to:

Mr. Dennis R. Whetstone, Deputy Director  
Department of Commerce and Community Affairs  
Bureau of Program Administration  
620 East Adams Street, 5th floor  
Springfield, Illinois 62701  
(217) 782-6136

The full text of the Adopted Amendments begins on the next page:

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## TITLE 14: COMMERCE

## SUBTITLE C: ECONOMIC DEVELOPMENT

## CHAPTER I: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## PART 630

## CORRIDORS OF OPPORTUNITY PROGRAM

Section  
630.10  
630.20  
630.30  
630.40  
630.50

Purpose  
Program Requirements  
Application Process  
Administrative Requirements  
Incorporation by Reference

**AUTHORITY:** Implementing the Corridors of Opportunity and Development Act (Ill. Rev. Stat. 1987, ch. 127, pars. 3401 et seq.) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.42).

**SOURCE:** Emergency rules at 10 Ill. Reg. 16720, effective September 24, 1986, for a maximum of 150 days; modified at 11 Ill. Reg. 3382, effective February 3, 1987, (does not extend the 150 day time limit of the original rulemaking); adopted at 11 Ill. Reg. 5909, effective March 19, 1987; amended at 13 Ill. Reg. 4164, effective March 16, 1989.

## Section 630.20 Program Requirements

a) Eligible Grantees - Municipal corridor councils (in cities with a population in excess of 1,000,000) and regional (e.g., multi-county, multi-municipality) corridor councils, as defined in Section 3 of the Act, are eligible to apply for and receive funds under this Program.

b) Allowable Activities - Activities which may be supported with Program funds include, but are not limited to, feasibility studies, marketing plans, and promotional materials which assist a corridor council with structuring and implementing development strategies, in accordance with Section 4(2) and 4(3) of the Act. Approved activities become the Scope of Work in the grant agreement. Sound planning provides the basis for a successful corridor development strategy. As such, grantees are required to provide for this expertise (e.g., through in-house staff or cooperative efforts with a regional planning agency).

c) Program Match - Program match shall consist of matching funds and/or in-kind contributions. These local resources shall be directly related to the proposed corridor program activities. Eligible grantees shall provide program match as follows:



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- 1) In accordance with Section 4(2)(a) of the Act, municipal corridor councils are required to provide program match. The required level of match is 50 percent of program grant funds.
- 2) In accordance with Section 4 (3) of the Act, regional corridor councils' required level of match will be determined on a case by case basis. Each individual regional corridor council's required level of match will be dependent on such factors as the needs for complementary resources, ability to contribute to the program, etc.
- 3) Match contributions shall meet all of the following criteria:

- A) cash match may be from private or public sources; however State General Revenue funds cannot be used as cash match;
- B) be within the parameters of the Scope of Work;
- C) cash or in-kind match which is comprised of personal services must be supported by individual monthly time records of services rendered and/or detailed documentation of all other applicable, direct, and indirect costs of the program; and
- D) not be a general expense incurred by the grantee in carrying out overall responsibilities other than those required under this program.

- 4) The grantee shall expend cash matching funds or accumulate in-kind matching funds at the same rate that it is making disbursements from State of Illinois grant funds.

(Source: Amended at 13 Ill. Reg. 4164, effective March 16, 1989)

## Section 630.40 Administrative Requirements

- a) Use of Funds Administrative-Funds - Use of funds are subject to the following provisions:

- 1) In accordance with Section 4(4) and 5(3) of the Act, up to 3% of the Program funds may be used for program administration by each the Department and the eligible grantee (applicant receiving funds under this Program).
- 2) If the grantee makes expenditures with grant funds that do not conform to the Scope of Work, the Department shall

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withhold any further funding hereunder, unless the grantee submits a revised Scope of Work and budget, as set forth in subsections (3) and (4). The Department will grant approval to modify budgeted amounts and Scope of Work when the modification is necessary to achieve program objectives or will result in greater program efficiencies. If the Department refuses to approve a revised Scope of Work and budget which would allow such expenditures, the grantee shall repay to the Department all funds expended contrary to the Scope of Work and budget.

- 3) If the grantee has reason to believe that it will vary from the amounts budgeted by program activity by more than 5% of the total budget, it shall request approval of the Department in writing prior to the anticipated variation. Said request shall give the reasons for the anticipated variation, whether the total grant shall be completed within the limits of the budget, and the suggested corrective action. In no event shall the grantee make any change in program activity amount which increases the total budget. Failure of the grantee to request approval of the Department of anticipated budget variations in excess of 5% shall be deemed sufficient reason for the Department to disallow costs incurred at more than the amount budgeted for the program activity set forth in the budget. Such costs may be disallowed even if the total costs incurred are within the limits of the total grant budget. The grantee must provide documentation that it cannot meet the cost of an activity without additional funds and that funds may be transferred from another activity without adversely affecting the project. If the Department approves the budget revision, the Department shall give the grantee a revised cost summary incorporating the change.

The grantee may incur costs in excess of a particular line item of up to a maximum of 5% (cumulative) of the total approved budget without prior written approval subject to the following conditions:

- A) In no instance will the grantee be compensated for more than the total grant amount;
- B) Modifications that add or delete activities (regardless of the dollar amount) must have prior written approval from the Department (see subsection (a)(2)); and
- C) This type of line item transfer (5%) does not change the total approved budget. The line item budget



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changes only when a modification is submitted and approved (see subsection (a)(2)).

## b) Method of Compensation

Payments to a grantee are subject to the availability of funds appropriated by the General Assembly and evidence of the availability of matching funds (i.e., letters of commitment from sources of match).

1) Payments to the grantee are subject to the initiation of an payment request form (invoice voucher) which must be submitted bimonthly (every two months). The first payment for program initiation may be an advance for the first two months' month's cash needs. Thereafter, the payments are dual purpose in that they will be sufficient to cover the expenditures to date as well as the cash needs of the grantee for the next period, in accordance with the grantee's budget.

2) The grantee shall repay the Department for any funds that are determined by the Department through monitoring (subsection (e)) and the audit (subsection (g)) to have been expended in violation of the grant document.

3) The final report or the audit report must be accompanied by any overpayment of grant funds (unliquidated balance at the end of the grant period).

## c) Final Reporting - The grantee must submit the following reports to the Department:

1) bimonthly expenditure summary reports (within fifteen (15) calendar days after the end of applicable month);

2) bimonthly itemization of match reports (within fifteen (15) calendar days after the end of applicable month);

3) bimonthly activity reports (within fifteen (15) calendar days after end of applicable month);

4) close out final activity report (within forty-five (45) calendar days after end of grant period);

5) close out final summary of expenditure and itemization of match reports (within forty-five (45) calendar days after end of grant period);

6) A final completion report for each grant must be submitted

to the Department no later than (within ninety (90) calendar days after the expiration termination of the grant period). The final report will outline the accomplishments/results of activities funded under the grant as compared to proposed activities and anticipated results specified in the grant document. The Department reserves the right to request additional information to further clarify or document activities and accomplishments outlined in the final report;

7) all completed reports, studies, publications, advertisements prepared with grant funds (within sixty (60) calendar days after end of program year); and

8) final audit report.

d) Financial Management Standards - The grantee's financial management systems shall be structured under the Accounting Standards of the Financial Accounting Standards Board of the American Institute of Certified Public Accountants (AICPA) (June, 1984). The grantee is accountable for all funds received under this Program. The grantee shall keep records which detail the expenditures of grant funds and accurately document such expenditures.

## e) Property Management

1) The grantee may not purchase nonexpendable personal property (equipment) items exceeding \$300.00 without the Department's prior approval. The equipment must be necessary to carry out the objectives of the project and must be included in the line item budget. The grantee retains title to all equipment purchased with grant funds for program operations subject to the following: It is understood that nonexpendable personal property purchased by the grantee with funds provided under this grant and that received from the Department shall not be the property of the grantee but shall be held by it in trust for the benefit of the people of the State of Illinois. The grantee shall maintain appropriate property records and periodically, at intervals not to exceed two years, conduct an inventory of all equipment or nonexpendable personal property purchased with grant funds. Equipment must be used on the original project as long as needed. While being used on the original project, equipment may be made available for "shared use" with other activities, provided that use will not interfere with its use for the original project. When nonexpendable personal property is no longer needed for the original purpose, the grantee shall advise



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the Department and may request approval for use of such nonexpendable personal property for other projects or activities. If the grantee has no further use for the nonexpendable personal property, the grantee shall request disposition instructions from the Department. In such instances, the Department may authorize the grantee to ship nonexpendable personal property to the Department or a third party named by it. If the grantee is instructed to ship the nonexpendable personal property elsewhere, the grantee shall be reimbursed by the Department for its share of the market value (i.e., percentage of equipment cost paid from non-grant funds multiplied by the value of the equipment at the time of disposition) plus shipping costs. If the grantee receives Department approval to sell or trade-in equipment, it shall be reimbursed for its share of the market value plus costs incurred in the disposition. If the grantee is instructed to otherwise dispose of the nonexpendable personal property, the grantee will be reimbursed by the Department for costs incurred in the disposition. ~~Equipment may be used for other projects (projects of the Department are to be given first priority if there is a choice). The grantee shall determine whether there is a continued need for equipment, in terms of the original project or purpose.~~

- 2) An Equipment Purchase/Acquisition Inventory Listing form indicating equipment or materials purchased with program funds shall accompany the program close-out package, which is sent to the Department following the end of the grant period, if the unit cost is \$300.00 or more and the unit has a life span of one or more years.

- f) Monitoring - The Department will monitor each grant funded under this Program periodically by visits throughout the fiscal year to evaluate compliance with the Act, this Part and the terms and conditions of the grant document.

- g) Interest on Grant Funds - In accordance with Section 10 of the Illinois Grant Funds Recovery Act (Ill. Rev. Stat. 1987 1985, ch. 127, par. 2310, as amended by P.A. 85-1214, effective August 30, 1988), all interest earned on funds held by the grantee under this grant shall become part of the grant when earned. However, interest earned on grant funds may be retained by the grantee when the grantee determines the cost of accounting for the interest or allocating the interest to the grant principal is equal to or greater than the interest earned. Any interest earned under the grant, and not expended as grant principal during the term of the grant, shall be returned to the Department.

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- h) Audits - The grantee shall be responsible for having an annual financial and compliance audit of all grant records. The grantee shall contact, in writing, the Department's Office of Audits when the grant project is completed and advise the Department that the project is ready for audit, providing the name of the audit firm it's selected. Such audit must be performed by an independent public accountant, certified and licensed by authority of the State of Illinois and acceptable to the Department. Any firm that has been debarred or suspended by the federal government in accordance with rules issued by the Office of Management and Budget entitled "Guidelines for Government-Wide Debarment and Suspension (Non-procurement)" (52 FR 20360-20369, May 29, 1987) will be deemed unacceptable by the Department. The grantee shall contract with the audit firm it's selected. The audit must be conducted in accordance with generally accepted government auditing standards adopted by the American Institute of Certified Public Accountants (AICPA) (1983). The grantee shall work cooperatively with the audit firm performing the audit and with the Department's staff relative to the preparation for, and resolution of, the audit. The grantee will provide three copies of the audit relative to funds expended under this program within thirty (30) days following its publication. The grantee may secure an independent audit of its grant in the same manner as it secures its regular audits, provided it provides for maximum open and free competition. The grant audit may be conducted as part of the grantee's annual audit. If the grantee is routinely audited by the Auditor General of the State of Illinois, the grant need not be audited separately. The grantee will provide the Department with one copy of any portion(s) of its annual audit which addresses grant funds. In instances where the grant period or term does not coincide with the grantee's fiscal year, two fiscal audit reports shall be forwarded to the Department. The Department will provide direction to grantees regarding the audit scope and procurement standards and procedures for all audits involving the Department's programs and will provide direction relative to the proper allocation of costs when multi-program or organization-wide audits are conducted. The grantee is responsible for all audit findings resulting from any audit of the grant. Any grantee determined to have misused grant funds (i.e., fraud and abuse, noncompliance with the Act, noncompliance with terms and conditions of grant) as a result of an audit shall be ineligible to apply for and receive funds under this Program.

- i) Nondiscrimination - The grantee shall refrain from unlawful discrimination in employment and undertake affirmative action to assure equality of employment opportunity and eliminate the effects of past discrimination in accordance with the Illinois Human Rights Act (Ill. Rev. Stat. 1987 1985, ch. 68, pars. 1-101



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et seq.).

j) Bonding - Any person with signature authority for funds received under this Program must be bonded for not less than the total grant amount.

k) Bids - All goods must be procured in accordance with the Illinois Purchasing Act (Ill. Rev. Stat. 1987 1985, ch. 127, pars. 132.1 et seq.).

l) Separate Accounts - A separate bank account must be established for the purpose of this Program. The account must require two authorizing signatures. Only funds received under this Program or the grantee's matching funds may be deposited in the account.

m) Suspension and Termination -

1) If the Department determines that a grantee has failed to comply with the terms and conditions of the grant document, the Department shall suspend the grant and withhold further payments until the grant is terminated or the grantee's failure has been corrected. The Department will determine that a grantee has failed to comply with the terms and conditions of a grant when:

A) The Department has notified the grantee in writing of the existence of circumstances, such as, consistent failure to submit required reports or evidence of fraud and abuse.

B) The grantee fails to develop and implement a corrective action plan which explains corrective actions to be taken and evidence refuting the deficiencies within 45 days of Department's notice.

2) A grant shall be terminated if the Department determines that the grantee has failed to comply with the terms and conditions of the grant in whole or in part or if the Department and the grantee agree to terminate the grant.

3) The Department shall notify the grantee verbally of the determination to terminate or suspend the grant, the reasons for such termination or suspension, and the effective date of the termination or suspensions. Written verification of the Department's determination will be transmitted to the grantee within seven days of the determination.

4) The grantee shall not incur new obligations for the

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terminated portion of the grant after the effective date of the termination or suspension, and shall cancel as many outstanding obligations as possible. The Department shall allow full credit to the grantee for the Department's share of the noncancellable obligations, properly incurred by the grantee prior to the termination.

n) Publication, Reproduction and Use of Material

1) No material produced in whole or in part under this grant shall be subject to copyright in the United States or in any other country. The Department shall have unrestricted authority to publish, disclose, distribute, and otherwise use, in whole or in part, any reports, data, or other materials prepared under this grant.

2) Grantees must submit proofs of all brochures, publications, promotional and advertising materials prior to printing. The Department will approve or disapprove printing of any such brochures, publications, promotional and advertising materials. The material will be approved if it is accurate, complies with subsections (n)(3) and (n)(4), and is within the Scope of Work.

3) Any research publication produced as a result of the grant shall include on its title page the following citation: "The project was conducted in part with funds provided under the Corridors of Opportunity Program by the Illinois Department of Commerce and Community Affairs and does not necessarily represent in whole or in part the viewpoint of the State of Illinois or the Department of Commerce and Community Affairs."

4) Any promotional publication or advertisement produced as a result of the grant shall include the Build Illinois Logo with the following citation: "In cooperation with the Illinois Department of Commerce and Community Affairs Corridors of Opportunity Program."

5) The grantee must maintain a log of all inquiries generated from the distribution of brochures and advertisements. The grantee must also maintain a list of all businesses attracted, retained, and the number of individuals employed. The grantee must submit this information in its bimonthly and final activity reports.

o) Meetings - The grantee must give prior notification to the Department of the date for all corridor council meetings and provide the Department with a copy of the official minutes of



## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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the board of directors when approved.

- p) Domestic Travel - Grantees must comply with the provisions of 47 Ill. Adm. Code 1.80. Additionally, all out-of-state travel paid from grant funds and all prospect trips and trade show attendance require prior approval from the Department. Grantees must submit a completed "Travel and Trade Show Request" form at least 60 days prior to the scheduled departure date for such trips. The form requests the following information:

- 1) date of request;
- 2) type of request (i.e., out-of-state travel, prospect trip, and/or trade show);
- 3) trip information which includes location, dates of trip, type of transportation, cost of travel, cost of lodging, and names of council members/staff traveling;
- 4) brief narrative explaining purpose of travel;
- 5) if applicable, name of trade show, sponsoring organization, brief outline of pre-attendance and follow-up plans;
- 6) if applicable, a brief outline of pre-trip plans for prospect trips; and
- 7) an attachment that lists schedule of visits.

- q) International Travel - In addition to the requirements specified in subsection (p) requests for approval of international travel must conform to the following provisions:

- 1) The total dollars requested for international travel in a grant year cannot exceed fifteen percent (15%) of the total state dollars awarded to the grantee.
- 2) Corridors must show that they have communicated effectively with foreign prospects during the past three years. Examples include printed marketing materials and mailing lists, translated materials and mailing lists, and a history of correspondence.
- 3) Corridors must show an interest in their area by foreign companies within the last three years and that they are currently working with these clients. Examples include advertisement responses, correspondence and a history of past foreign company tours.

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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- 4) Corridors must show a past commitment and strategy to attract foreign direct investment. Examples include foreign media ad campaigns, calls on foreign companies in Illinois and elsewhere in the U.S.

- 5) Corridors must identify companies and the names of individuals within those companies they wish to meet.

- 6) Corridors must work with the Department's International Business Division, which will provide technical assistance but not be responsible for developing itineraries, appointment schedules, interpretation services, and entertainment.

- 7) The hiring of consultants (other than travel agents) to arrange itineraries and meetings overseas must be pre-approved by the Department.

- 8) Corridors must submit a detailed follow-up report to the coordinator of the Corridors of Opportunity program at the Department within 30 days after their return.

- r) Grant Close-Out - In accordance with Section 5 of the Illinois Grant Funds Recovery Act (Ill. Rev. Stat. 1987, ch. 127, par. 2305) the grantee shall, upon submission of the close-out package or within forty-five (45) days of the expiration of the grant, whichever occurs first, refund to the Department any balance of funds which were unobligated at the end of the grant period.

- s) Subgrantees - The successful implementation of the grant program and the performance of certain duties by the grantee may require the grantee to subcontract with one or more subgrantees (i.e., recipients of financial assistance from a grantee of the Department). Such subgrantees shall expressly agree to be bound by and subject to the provisions of the grant agreement.

- t) Depository/Authorized Signature Designation - The grantee shall provide the name of the financial institution which will serve as depository for grant funds and the fund account number. The grantee shall also designate which individuals are authorized to sign the following documents: the grant award, the close out package, the expenditure summary, the payment request form, and the itemization of match report.

- u) For the purpose of this Part, additional provisions specified in 47 Ill. Adm. Code 1.30 and 1.130(f) are applicable.

(Source: Amended at 13 Ill. Reg. 4164, effective March 16, 1989.)



## ILLINOIS REGISTER

## DEPARTMENT OF CONSERVATION

## NOTICE OF ADOPTED AMENDMENTS

1) THE HEADING OF THE PART: Illinois List of Endangered and Threatened Fauna2) CODE CITATION: 17 Ill. Adm. Code 10103) SECTION NUMBERS: ADOPTED ACTION:1010.25 Amendments  
1010.30 Amendments4) STATUTORY AUTHORITY: Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1987, ch. 8, par. 337).5) EFFECTIVE DATE OF AMENDMENTS: March 17, 19896) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No7) DO THESE AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: March 9, 19899) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: December 9, 1988,  
12 Ill. Reg. 2032510) HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES? No11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:

A period was added to the end of the Authority Note.

The Main Source Note and Section Source Notes were changed to "13" Ill. Reg.  
In Section 1010.30, the subsections were moved to the right ½ inch as if labeled  
at the second level of subsections.

12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN  
MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCAR? Yes13) WILL THESE AMENDMENTS REPLACE AN EMERGENCY RULE (AMENDMENT,  
REPEALER) CURRENTLY IN EFFECT? No14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? No15) SUMMARY AND PURPOSE OF AMENDMENTS: These amendments were proposed  
to incorporate changes adopted by the Illinois Endangered Species Protection  
Board to the Illinois List of Endangered and Threatened Fauna.16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED AMENDMENTS  
SHALL BE DIRECTED TO:

## ILLINOIS REGISTER

4180  
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## DEPARTMENT OF CONSERVATION

## NOTICE OF ADOPTED AMENDMENTS

Jack Price  
Lincoln Tower Plaza  
524 S. Second Street  
Springfield, Illinois 62701-1787THE FULL TEXT OF THE ADOPTED AMENDMENTS BEGINS ON THE NEXT PAGE



## DEPARTMENT OF CONSERVATION

## NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER 1: DEPARTMENT OF CONSERVATION  
SUBCHAPTER C: ENDANGERED SPECIES

## PART 1010

## ILLINOIS LIST OF ENDANGERED AND THREATENED FAUNA

Section  
1010.10  
1010.20  
1010.25  
1010.30

Official List  
Definitions  
Criteria Used For Listing  
List

AUTHORITY: Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1987, ch. 8, par. 337).

SOURCE: Filed December 21, 1977; effective December 31, 1977; codified at 5 Ill. Reg. 10653; amended at 8 Ill. Reg. 13705, effective July 25, 1984; amended at 13 Ill. Reg. 4179, effective March 17, 1989.

## Section 1010.25 Criteria Used For Listing

- a) A species shall be included on the Official List when one or more of the following criteria exists:
  - 1) Species included in the Federal list of Endangered or Threatened species.
  - 2) Species proposed for Federal Endangered or Threatened status which occur in Illinois.
  - 3) Species which formerly were widespread in Illinois but have been nearly extirpated from the State due to habitat destruction, collecting, or other pressures resulting from the development of Illinois.
  - 4) Species which exhibit very restricted geographic ranges of which Illinois is a part.
  - 5) Species which exhibit restricted habitats or low populations in Illinois.
  - 6) Species which are significant disjuncts in Illinois, i.e., the Illinois population is far removed from the rest of the species' range.
- b) A species will be removed from the Official List if it no longer fulfills one or more of the criteria in paragraph-a) subsection (a), except for a species that no longer fulfills the criteria because it no longer inhabits Illinois. The determination will be made pursuant to Section 7 of the

## DEPARTMENT OF CONSERVATION

## NOTICE OF ADOPTED AMENDMENTS

Endangered Species Protection Act (Ill. Rev. Stat. 1983) 1987, ch. 8, par. 337).

(Source: Amended at 13 Ill. Reg. 4179, effective March 17, 1989)

## Section 1010.30 List

a) Endangered Fishes of Illinois ~~ENDANGERED~~ FISHES OF ILLINOISNorthern Brook LampreyIchthyomyzon fossorBigeye chubHybopsis amblopsBluebreast DarterEtheostoma caeruleumPallid Shiner (Chub)Notropis (Hybopsis) amnisPugnose ShinerNotropis anogenusBluehead ShinerNotropis hubbsiWeed ShinerNotropis texanusCypress MinnowHybognathus haysiGreater RedhorseMoxostoma valenciennesiNorthern MadtomNoturus stigmosusWestern Sand DarterAmmocrypta claraEastern Sand DarterAmmocrypta pellucidaBluebreast DarterEtheostoma caeruleumHarlequin DarterEtheostoma histriob) ~~Threatened Fishes of Illinois~~ THREATENED FISHES OF ILLINOISLeast Brook LampreyLampetra aepypteraLake SturgeonAcipenser fulvescensAlligator GarLepisosteus spatulaCiscoCoregonus artedii



## ILLINOIS REGISTER

## DEPARTMENT OF CONSERVATION

## NOTICE OF ADOPTED AMENDMENTS

Lake Whitefish  
Longnose Sucker  
Alligator Gar  
Pugnose Shiner  
Bigeye Shiner  
Ironcolor Shiner  
Blackchin Shiner  
Blacknose Shiner  
River Redhorse  
Longnose Sucker  
Banded Killifish  
Spotted Sunfish  
Bantam Sunfish  
Iowa Darter  
Lake Whitefish  
Lake Sturgeon  
  
Silvery Salamander  
Dusky Salamander  
Silvery Salamander  
Illinois Mud Turtle  
Spotted Turtle  
Slider

c) Endangered Amphibians and Reptiles of Illinois  
AND REPTILES OF ILLINOIS

Coregonus clupeaformis  
Catostomus commersoni  
Leoposteus spatula  
Notropis anogenus  
Notropis boops  
Notropis chalybaeus  
Notropis heterodon  
Notropis heterolepis  
Moxostoma carinatum  
Catostomus commersoni  
Fundulus diaphanus  
Lepomis punctatus  
Lepomis symmetricus  
Etheostoma exile  
Coregonus clupeaformis  
Alepisoma fulvum  
  
Ambystoma platineum  
Desmognathus fuscus  
Ambystoma platineum  
Kinosternon flavescens  
Clemmys guttata  
Pseudemys concinna  
X-P. floridana

## ILLINOIS REGISTER

## DEPARTMENT OF CONSERVATION

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Illinois Mud Turtle  
Broad-banded Watersnake  
Eastern Ribbon Snake  
  
Illinois Chorus Frog  
Western Hog-nosed Snake  
WhipCoatwhip Snake  
Great Plains Rat Snake  
Green Watersnake  
  
Podilymbus podiceps  
Phalacrocorax auritus  
Botaurus lentiginosus  
Ixobrychus exilis  
Casmerodius albus  
Egretta thula  
Casmerodius albus  
Florida-Egretta caerulea  
Botaurus lentiginosus  
Nycticorax nycticorax  
Pandion haliaetus  
Ictinia mississippiensis  
Haliaeetus leucocephalus

d) Threatened Amphibians and Reptiles of Illinois  
AND REPTILES OF ILLINOIS

Kinosternon flavescens  
Nerodia fasciata  
Thamnophis sauritus  
  
Pseudacris streckeri  
Heterodon nasicus  
Masticophis flagellum  
Elaphe guttata  
Nerodia cyclopion  
  
Podilymbus podiceps  
Phalacrocorax auritus  
Botaurus lentiginosus  
Ixobrychus exilis  
Casmerodius albus  
Egretta thula  
Casmerodius albus  
Florida-Egretta caerulea  
Botaurus lentiginosus  
Nycticorax nycticorax  
Pandion haliaetus  
Ictinia mississippiensis  
Haliaeetus leucocephalus

e) Endangered Birds of Illinois  
ENDANGERED BIRDS OF ILLINOIS

Pied-billed Grebe  
Double-crested Cormorant  
American Bittern  
Least Bittern  
Great Egret  
Snowy Egret  
Great Egret  
Little Blue Heron  
American Bittern  
Black-crowned Night Heron  
Osprey  
Mississippi Kite  
Bald Eagle\*\*



## DEPARTMENT OF CONSERVATION

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<u>Northern Harrier (Marsh Hawk)</u>	<u>Circus cyaneus</u>
<u>Sharp-shinned Hawk</u>	<u>Accipiter striatus</u>
<u>Cooper's Hawk</u>	<u>Accipiter cooperii</u>
<u>Red-shouldered Hawk</u>	<u>Buteo lineatus</u>
<u>Swainson's Hawk</u>	<u>Buteo swainsoni</u>
<u>Bald-Eagle</u>	<u>Haliaeetus leucocephalus</u>
<u>Osprey</u>	<u>Pandion haliaetus</u>
<u>Marsh Hawk</u>	<u>Circus cyaneus</u>
<u>Peregrine Falcon**</u>	<u>Falco peregrinus</u>
<u>Greater Prairie Chicken</u>	<u>Tympanuchus cupido</u>
<u>Yellow Rail</u>	<u>Coturnicops noveboracensis</u>
<u>Black Rail</u>	<u>Laterallus jamaicensis</u>
<u>Purple Gallinule</u>	<u>Porphyryula martinica</u>
<u>Sandhill Crane</u>	<u>Grus canadensis</u>
<u>Piping Plover**</u>	<u>Charadrius melodus</u>
<u>Eschscholtz-Curlew**</u>	<u>Numenius borealis</u>
<u>Upland Sandpiper</u>	<u>Bartramia longicauda</u>
<u>Wilson's Phalarope</u>	<u>Steganopus Phalaropus tricolor</u>
<u>Common Tern</u>	<u>Sterna hirundo</u>
<u>Forster's Tern</u>	<u>Sterna forsteri</u>
<u>Common Tern</u>	<u>Sterna hirundo</u>
<u>Least Tern**</u>	<u>Sterna albifrons</u>
<u>Black Tern</u>	<u>Chlidonias niger</u>

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<u>Barn Owl</u>	<u>Tyto alba</u>
<u>Long-eared Owl</u>	<u>Asio otus</u>
<u>Short-eared Owl</u>	<u>Asio flammeus</u>
<u>Brown Creeper</u>	<u>Certhia familiaris</u>
<u>Bachman's Warbler**</u>	<u>Vermivora bachmani</u>
<u>Bewick's Wren</u>	<u>Thryomanes bewickii</u>
<u>Swainson's Warbler</u>	<u>Limnethlypis swainsonii</u>
<u>Bachman's Sparrow</u>	<u>Aimophila aestivalis</u>
<u>Clay-colored Sparrow</u>	<u>Spizella pallida</u>
<u>Yellow-headed Blackbird</u>	<u>Xanthocephalus xanthocephalus</u>
<u>Bachman's Sparrow</u>	<u>Aimophila aestivalis</u>
f) <u>Threatened-Birds-of-Illinois</u>	
<u>Common Gallinule</u>	<u>Gallinula chloropus</u>
<u>Brown Creeper</u>	<u>Certhia americana</u>
<u>Bewick's Wren</u>	<u>Thryomanes bewickii</u>
<u>Veery</u>	<u>Catharus fuscescens</u>
<u>Loggerhead Shrike</u>	<u>Lanius ludovicianus</u>
<u>Swainson's Warbler</u>	<u>Limnethlypis swainsonii</u>
<u>Henslow's Sparrow</u>	<u>Ammodramus henslowii</u>
<u>Brewer's Blackbird</u>	<u>Euphagus cyanocephalus</u>
<u>Henslow's Sparrow</u>	<u>Ammodramus henslowii</u>
g) <u>Endangered-Mammals-of-Illinois</u>	
<u>Southeastern Myotis</u>	<u>Myotis austroriparius</u>



## DEPARTMENT OF CONSERVATION

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Gray Bat**	Myotis grisescens
Indiana Bat**	Myotis sodalis
Rafinesque's Big-eared Bat	<u>Plecotus rafinesquii</u>
River Otter	<u>Lutra canadensis</u>
Eastern Wood Rat	Neotoma floridana
White-tailed Jackrabbit	Lepus townsendii
h) Threatened-Mammals-of-Illinois	THREATENED MAMMALS OF ILLINOIS
River-Otter	<u>Lutra canadensis</u>
Bobcat	Lynx rufus
Golden Mouse	Ochrotomys nuttalli
Rice Rat	Oryzomys palustris
i) Endangered-Mussels	ENDANGERED INVERTEBRATE ANIMALS OF ILLINOIS
	<u>Snails</u>
Iowa Pleistocene Snail**	<u>Discus macclintocki</u>
	<u>Mussels</u>
Spectacle Case	<u>Cumberlandia monodonta</u>
Slippershell	<u>Alasmidonta viridis</u>
Salamander Mussel	<u>Simpsonaias ambigua</u>
Rabbitsfoot	<u>Quadrula cylindrica</u>
White Wartyback Pearly Mussel**	<u>Plethobasus cicatricosus</u>
Orange-footed Pearly Mussel**	<u>Plethobasus cooperianus</u>
Clushell	<u>Pleurobema clava</u>
Rough Pigtoe**	<u>Pleurobema plenum</u>
Kidneyshell	<u>Ptychobranthus fasciolaris</u>

## DEPARTMENT OF CONSERVATION

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Fanshell	<u>Cyrogenia stegaria</u>
Ring Pink	<u>Obovaria retusa</u>
Round Hickorynut	<u>Obovaria subrotunda</u>
Scaleshell	<u>Leptodea leptodon</u>
Fat Pocketbook**	<u>Potamilus capax</u>
Purple Lilliput	<u>Toxolasma lividus</u>
Rayed Bean	<u>Villosa fabalis</u>
Rainbow	<u>Villosa iris</u>
Little Spectacle Case	<u>Villosa lienosa</u>
Wavy-rayed Lampmussel	<u>Lampsilis fasciola</u>
Higgins' Eye Pearly Mussel**	<u>Lampsilis higginsii</u>
Orange-footed-Pearly-Mussel**	<u>Plethobasus-cooperianus</u>
Pink Mucket Pearly Mussel**	<u>Lampsilis orbiculata</u>
Rough-Pigtoe-Pearly-Mussel**	<u>Pleurobema-plenum</u>
Leafshell	<u>Epioblasma flexuosa</u>
Round Combshell	<u>Epioblasma personata</u>
Tennessee Riffleshell	<u>Epioblasma propinqua</u>
White Cat's Paw Pearly Mussel**	<u>Epioblasma obliquata perobliqua</u>
Sampson's Pearly Mussel**	<u>Epioblasma sampsoni</u>
Tube-cul-ed-blossom Pearly Mussel**	<u>Epioblasma torulosa torulosa</u>
Snuffbox	<u>Epioblasma triquetra</u>
White-Cat's-Paw-Pearly-Mussel**	<u>Epioblasma-obliquata-perobliqua</u>



## DEPARTMENT OF CONSERVATION

## NOTICE OF ADOPTED AMENDMENTS

~~White-Wartyback Pearly-Mussel\*\*~~ Plethobasis cingulatus~~Fat Pocketback Pearly-Mussel\*\*~~ Potamius capax~~Cracking Pearlymussel~~ Hemistena lataCrustaceansAmphipodAmphipodAmphipodAmphipodAmphipodCrayfishCrayfishCrayfishCrayfishIsopodButterfliesArogos SkipperAtrytone arogosj) ~~Endangered-Snails~~ THREATENED INVERTEBRATE ANIMALS OF ILLINOIS~~Iowa-Pleistocene-Snail\*\*~~Dicelus-macchintockiMusselsCreek HeelsplitterLasmigona compressaSheepnosePlethobasus cyphusElephant-earElliptio crassidensPondhornUniomorus tetralasmusCrustaceans

## DEPARTMENT OF CONSERVATION

## NOTICE OF ADOPTED AMENDMENTS

Amphipod Gammarus bousfieldiButterfliesCobweb SkipperHesperia meteaOttoe SkipperHesperia ottoe

(Source: Amended at 13 Ill. Reg. 4179, effective March 17, 1989)



## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Dental Practice Act2) Code Citation: 68 ILL. Adm. Code 1220

<u>Section Numbers:</u>	<u>Adopted Action:</u>	<u>Section Numbers:</u>	<u>Adopted Action:</u>
1220.110	Amended	1220.425	Added
1220.120	Amended	1220.431	Repealed
1220.130	Amended	1220.435	Amended
1220.150	Repealed	1220.500	Added
1220.160	Added	1220.510	Added
1220.220	Amended	1220.520	Added
1220.231	Amended	1220.530	Added
1220.240	Amended	1220.540	Added
1220.260	Added	1220.550	Added
1220.340	Repealed	1220.560	Added
1220.350	Added	Appendix A	Repealed
1220.400	Added	Appendix B	Amended
1220.410	Repealed, New	Appendix C	Amended
1220.421	Amended		

4) Statutory Authority: ILL. Rev. Stat. 1987, ch. 111, pars. 2305, 2308.1, 2316, 2319 and 2345.5) Effective Date of Amendment: March 16, 19896) Does this rulemaking contain an automatic repeal date? No7) Do these Amendments contain incorporations by reference? No8) Date Filed in Agency's Principal Office: March 13, 19899) Date Notice of Proposal Published in Illinois Register: April 1, 1988, at 12 ILL. Reg. 586710) Has JCAR Issued a Statement of Objections to this (these) rule(s)? Yesa) Statement of Objections: March 17, 1989, 13 ILL. Reg. 3444b) Agency Response:c) Date Agency Response Submitted for approval to the Joint Committee:  
March 10, 198911) Difference(s) between proposal and final version:

Throughout the rules any reference to the words "registrant", "registered"

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

or "registration" have been deleted or changed to "licensee", "licensed" or "licensure".

The words "but not to exceed \$85" were deleted from the end of Section 1220.160(a).

The words "more than" were deleted before the words "five (5) years" and the words "or more" were added after the words "five (5) years" in Section 1220.160(b), 1220.260(b) and 1220.350(b).

The words "sworn evidence" and "evidence" have been replaced by the words "certificate" and "certification" in Section 1220.160(b)(1), 1220.260(b)(1), 1220.350(b)(1) and 1220.560(b)(1).

In Section 1220.400(b) the following which was contained in the proposed version has been deleted and subsection (a) has become an opening paragraph:

" b)

The dentist or dental hygienist shall also record such information in the patient's permanent record and must convey the information while retaining confidentiality of the patient to:

- 1) any other dentist to whom the patient is referred for treatment;
- 2) any medical practitioners to whom the patient is referred;
- 3) any laboratory or testing agency ordered to conduct blood testing or diagnostic testing.

c) A warning must be placed on both the inside and outside of any container holding anything such as impressions or bite wafers, notifying the recipient of the possible health hazard. "

The words "at least" have been deleted before the words "5 years" and the words "or more" have been added after the words "5 years" in Section 1220.410(a).

Section 1220.410(b) was rewritten as follows: "the applicant shall file an application for licensure on forms provided by the Department which shall include".

In Section 1220.410(b)(1) the words "or registration" were deleted after the words "certification of licensure" and in the same place, the words "from the other jurisdiction" were added.

The words "registered" and "registration" were deleted from the text of Section 1220.410(b)(1)(A).



## DEPARTMENT OF PROFESSIONAL REGULATION

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The words "for dental applicants" were added to the beginning of Section 1220.410(b)(3).

Section 1220.410(b)(4) has been added and reads as follows "for dental hygienists, certification of 2 academic years of credit in an approved school of dental hygiene which meets the minimum education standards of the Department specified in Section 1220.250." The relevant subsections have been re-numbered accordingly.

The words "or dental hygiene program" have been added to the end of what is now Section 1220.410(b)(6).

Section 1220.410(b)(8) has been added and reads as follows: "Fees required under Section 21(a)(4) and (b)(3) of the Act".

The words "of Dentistry" have been deleted from the end of Section 1220.410(g) and the words "in accordance with the provisions of this Section" have been added to the end of this Section.

The following words have been added to the end of Section 1220.421(c): "(e.g., upon initiation of any investigation, receipt of a complaint, inquiry from the public, etc.)".

The words "such fees at the time of the initial inquiry to the person using the service" have replaced the words "the financial obligations incurred by persons using the service" at the end of Section 1220.425.

In Section 1220.425(e) a period has been placed after ".....unless the referral service is operated by a licensed dentist" and the remainder of this sentence has been deleted and replaced with a new sentence which reads as follows: "Any referral service operated by a licensed dentist which refers services to that dentist's own dental practice or a dental practice which he is in any way affiliated with shall disclose these facts at the time of such referral."

In Section 1220.510(a)(2)(D) the reference to "Section 220.540" has been corrected to read "Section 1220.550".

In Section 1220.510(a)(4) the words "in accordance with subsection (e) below" have been added after the words "a signed affidavit certifying that he will practice in a facility properly equipped". At the end of this same Section the words "(e.g., cardiopulmonary resuscitation)" have been added.

In Section 1220.510(b) and 1220.520(b) the words "in accordance with the standards set forth in this Section" have been added after the words "Upon review and recommendation of the Board".

## DEPARTMENT OF PROFESSIONAL REGULATION

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In Section 1220.510(c) the words "pursuant to Section 1220.520" have been added after the words "licensees qualified to administer general anesthesia or deep parenteral conscious sedation (permit B)".

Section 1220.510(d) and 1220.520(c) have been changed to read as follows: "if the accuracy, relevance or sufficiency or any submitted documentation is questioned by the Department or Board, because of discrepancies or conflicts in information, and/or missing information, additional documentation may be required and/or an on-site evaluation of the facilities, equipment and personnel may be conducted by the Department or a member of the Board's Advisory Panel prior to the issuance of a permit".

In Section 1220.510(e)(2) the words "adequate", "appropriate" and "adequate" have been deleted from the terms "adequate full face masks", "appropriate connectors" and "adequate backup system".

The word "current" has been deleted from the phrase "a current medical history" in Section 1220.510(f)(1).

Section 1220.510(a)(2)(D) has been added and reads as follows: "licensure in Oral and Maxillofacial by the State of Illinois."

The words "in accordance with subsection (d) below" have been added after the words "a signed affidavit certifying that he will practice in a facility properly equipped" in Section 1220.520(a)(3).

The words "(e.g., anticonvulsants, muscle relaxants, antihistamines)" have been added at the end of Section 1220.520(d)(7).

The word "adequate" has been deleted from the phrase "adequate lighting" in Section 1220.520(d)(9).

The words "a current" have been deleted from the "a current medical history..." in Section 1220.520(e)(1).

The words "in accordance with the provisions of Sections 1220.510 and 1220.520" have been added at the end of Section 1220.530(c).

The words "undergraduate dental school level" have been deleted at the end of Section 1220.540(a)(1) and the words "requirements of Section 1220.140 have been added in its place.

The words "operated by one entity and completed in less than one calendar year" have been added to the end of Section 1220.540(a)(2).

The words "as it deems appropriate and take action as may be appropriate have been deleted at the end of Section 1220.550(d) and in its place the



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words "pursuant to Section 25 of the Act and 68 Ill. Adm. Code 1110" have been added.

In Section 1220.560(a) the words "the current renewal fee or" have been deleted before "\$10 plus all lapsed renewal fees" and a period has been added after this. The remaining words "but not to exceed \$85 (if restoring from lapsed status)" have been deleted.

The words "Section 8.1 of" have been added before the word "act" in Section 1220.560(b).

The word "appropriately" has been deleted from the phrase "appropriately trained dental assistant" in the opening paragraph of Appendix B.

The word "surface" has been deleted from "apply topical surface anesthetics" in (b)(21) of Appendix B.

Subsection (b)(2) of Appendix B has been added which reads as follows: "place microidentification dots".

In addition, various typographical, grammatical and form changes were made in response to the comments received from the Administrative Code Division and the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Amendments replace an Emergency Amendment currently in effect? No

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Amendment:

These amendments modify the requirements for licensure of dentists and dental hygienists, whereby a photograph will no longer be required to be submitted with the application and the application will now include a work history. Also, the Department, in addition to accepting proof of successful completion of the North East Regional Board Examination (NERB) in lieu of the clinical examination, will also accept the regional equivalency of the NERB examination. Procedures for restoration of dentists, dental hygienists and dental specialists have been set forth in these amendments. Guidelines for dental referral services have been established.

The following additions or changes have been made pursuant to Public Act 84-365: requirements for restoration of a dentist, dental hygienist and

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dental specialist license; procedures for reporting infectious and communicable diseases; qualifications and application procedures for dentists and dental hygienists licensed in other jurisdictions; and advertising standards for dentists. The permitted duties of dental assistants and dental hygienists have been modified.

Also, standards and criteria have been developed for licensed dentists in order to obtain a permit to administer light conscious sedation or deep parenteral conscious sedation or general anesthesia pursuant to Public Act 84-1308.

16) Information and questions regarding this adopted rule shall be directed to:

Department of Professional Regulation  
Attention: Jean Courtney  
320 West Washington, 3rd Floor  
Springfield, IL 62786  
217/785-0800

The full text of the Adopted Amendments begins on the next page.



TITLE 68: PROFESSIONS AND OCCUPATIONS  
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION  
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1220  
DENTAL PRACTICE ACT

SUBPART A: DENTIST

Section

- 1220.110 Application for Examination  
1220.120 Clinical Examinations  
1220.130 System of Retaking the Clinical Sections  
of the Examination ~~Conducted by the Department~~  
1220.140 Minimum Standards for an Approved  
Curriculum in Dentistry  
1220.150 Licensure (Repealed)  
1220.160 Restoration

SUBPART B: DENTAL HYGIENIST

- 1220.210 Applications  
1220.220 Clinical Examination  
1220.230 System of Grading  
1220.231 System of Retaking the Clinical  
Examination ~~Conducted by the Department~~  
1220.240 Permitted Duties of Dental Auxiliaries  
1220.250 Approved Programs of Dental Hygiene  
1220.260 Restoration

SUBPART C: DENTAL SPECIALIST

- 1220.310 Applications  
1220.320 Examination  
1220.330 System of Grading  
1220.335 American Board Diplomates  
1220.340 Specialty Listing (Repealed)  
1220.350 Restoration

SUBPART D: GENERAL

- 1220.400 Reportable Diseases and Conditions  
1220.410 ~~Dental Reciprocity~~ Endorsement  
1220.421 Advertising  
1220.425 Referral Services  
1220.431 Employment by Corporation (Repealed)  
1220.435 Renewals  
1220.441 Granting Variances

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SUBPART E: ANESTHESIA PERMITS

- 1220.500 Definitions  
1220.510 Light Parenteral Conscious Sedation  
1220.520 General Anesthesia and Deep Parenteral Conscious  
Sedation  
1220.530 Anesthesia Review Panel  
1220.540 Approved Programs in Anesthesiology  
1220.550 Reporting of Adverse Occurrences  
1220.560 Restoration of Permits

1220. Appendix A Pre-clinical Restorative Dentistry

1220. Appendix B Sub-section (Repealed)  
1220. Appendix C Dental Assistant Permitted Procedures  
1220. Appendix C Dental Hygienist Permitted Procedures

AUTHORITY: Implementing The Illinois Dental Practice Act  
(Ill. Rev. Stat. 1987, ch. 111, par. 2301 et seq.) and  
authorized by Section 60(7) of The Civil Administrative Code  
of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 60(7)).

SOURCE: Rules and Regulations for the Administration and  
Enforcement of the Provisions of the Illinois Dental Practice  
Act, effective August 16, 1967; amended at 3 Ill. Reg. 16,  
p. 21, effective April 21, 1979; amended at 3 Ill. Reg.  
No. 42, 266, effective October 3, 1979; codified at 5 Ill.  
Reg. 11028; emergency amendment at 6 Ill. Reg. 916, effective  
January 6, 1982, for a maximum of 150 days; amended at 6 Ill.  
Reg. 4174, effective May 24, 1982; amended at 6 Ill.  
Reg. 7448, effective June 15, 1982; emergency amendment at 7  
Ill. Reg. 8952, effective July 15, 1983, for a maximum of 150  
days; amended at 8 Ill. Reg. 15610, effective August 15, 1984;  
amended at 10 Ill. Reg. 20725, effective December 1, 1986;  
transferred from Chapter I, 68 Ill. Adm. Code 220 (Department  
of Registration and Education) to Chapter VII, 68 Ill. Adm.  
Code 1220 (Department of Professional Regulation) pursuant to  
P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2926;  
amended at 13 Ill. Reg. 4191, effective March 16, 1989.

Note: Capitalization Denotes Statutory Language

SUBPART A: DENTIST

Section 1220.110 Application for Examination

An applicant for a license shall file an application on forms  
supplied by the Department of Professional Regulation (the  
"Department") at least 60 days prior to an examination date.  
The application shall include:

- a) A recent photograph not larger than 2 1/2 by 2 1/2 inches.



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a) A complete work history indicating all employment since graduation from dental school.

b) Certified records showing Certification of successful completion of 60 semester hours or its equivalent of college level pre-dental education, and and e) certification of graduation from a course of instruction in a dental school which meets the minimum education standards of the Department (see Rule IV) (68 Ill. Adm. Code 220-140) specified in Section 1220.140;

c) An applicant from a program which is determined by the Department upon recommendation of the Dental Examining Committee Board of Dentistry (the "Board") not to have met the minimum education standards of Rule IV (68 Ill. Adm. Code 220-140) Section 1220.140 will be notified, in writing, by the Department and must satisfy the deficiency before being permitted to take the examination. Deficiencies may be removed by taking the required instruction in an approved program in Dentistry. Certification from the dean of an approved program attesting to his satisfactory completion of the instruction required to satisfy the deficiency must be submitted to the Department;

d) The required fee set forth in Section 21(a)(2) of the Illinois Dental Practice Act (Ill. Rev. Stat. 1987, ch. 111 par. 2301 et seq.) (the "Act"); and

e) Proof of successful completion of the Theoretical examination given by the Joint Commission on National Dental Examinations. In order to be successful, a grade of at least 75% in all subjects is required. The National Board Certificate must be mailed to the Department by the Joint Commission.

(Source: Amended at 13 Ill. Reg. 4191, effective March 16, 1989)

## Section 1220.120 Clinical Examinations

a) The examination conducted by the Department for dental licensure shall be held at least twice each year and shall be divided into two sections as set forth below. Applicants shall have passed the Theoretical examination given by the Joint Commission on National Dental Examinations before taking the Preclinical and Clinical Sections of the examination and shall have passed the Preclinical

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Section of the examination before taking the Clinical Sections.

1) Preclinical - Restorative In order to be successful, a grade of at least 75% is required. (See Appendix A of this part for a description.)

2) Clinical

- A) Restorative
- B) Prosthetics
- C) Periodontics
- D) Comprehensive Treatment Planning (CTP)
- E) Diagnosis, Oral Medicine and Radiology (DOR)

b) In order to be successful, a grade of at least 75% is required in each clinical Section. Section 1220.130, below, sets out the examination retake requirements applicable to applicants who fail the Clinical on one or more occasions.

c) The provisions of this Section 220-120 subsections (a)(1) and (2) above shall be waived for a candidate for licensure to practice Dentistry who makes application in form and substance satisfactory to the Department under Section 3a 9 of the Illinois Dental Practice Act and causes to be filed with the Department, in addition to his application, proof of his successful completion of the North East Regional Board (NERB) Examination or its regional equivalency within the past five (5) years, which must be forwarded directly to the Department from NERB or the appropriate reporting entity.

(Source: Amended at 13 Ill. Reg. 4191, effective March 16, 1989)

Section 1220.130 System of Retaking the Clinical Sections of the Examination ~~Conducted by the~~ Department

a) First Failure

1) Except as provided in subsection (2) below, on the second examination attempt, an applicant shall be required to take only those Sections of the clinical examination in which he did not



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achieve a score of at least 75%. ~~except as provided below.~~

- 2) An applicant who fails three or more Sections of the clinical examination will be required to complete the remedial education requirements set forth in subsection (b) below ~~for twice failing applicants; every 20 hours of training for each written portion and 40 hours for each clinical portion.~~

## b) Second Failure

- 1) Prior to the third examination attempt, an applicant must submit proof of further study, as specified below:

A) Applicants who have two successive failures in either the Comprehensive Treatment Planning (CTP) Section or the Diagnosis, Oral Medicine and Radiology (DOR) Section of the examination are required to take 20 clock hours of additional training in the subject area of each Section failed either through instruction in a university with an approved curriculum or by participation in a general dentistry internship/residency program in a licensed hospital.

B) Applicants who have two successive failures in either the Restorative, Prosthodontics or Periodontics Section of the examination are required to take 40 clock hours of additional training, both didactic and practical, in the subject area of each Section failed either through instruction at a university with an approved curriculum or by participation in a general dentistry internship/residency program in a licensed hospital.

C) Applicants who have two successive failures in the Restorative Section of the examination are required to pass the Preclinical examination, whether they have passed it previously or not, as well as complete the 40 hours of training in the

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area of restoration as described in subsection (b)(1)(B), above.

- 2) At the third examination, an applicant will be required to take only those Sections he failed on the second attempt.

## c) Third failure

- 1) Prior to the fourth examination, an applicant must submit proof of satisfactory completion of one of the following:

A) Repetition of the senior year of an approved curriculum in dentistry at a university with an approved curriculum; provide a rotating internship.

B) One year's participation in a general dentistry internship/residency program in a licensed hospital. Such program must provide a rotating internship.

- 2) At the fourth examination, an applicant will be required to take and pass the Preclinical examination before being eligible to sit for the Clinical examination again. Once the Preclinical is passed, the applicant will be required to retake all Sections of the Clinical examination.

d) Subsequent failures. For purposes of additional study prior to retakes, the fifth examination will be considered the same as the third.

e) If an applicant applies for the Illinois state constructed exam after having failed NERB or its regional equivalency one or more times, the NERB or its regional equivalency failures ~~will~~ shall be considered Illinois exam failures for purposes of retakes.

f) The provisions of this Section shall apply to all applicants upon adoption without regard to where the applicant is in the application process.

(Source: Amended at 13 Ill. Reg. 4191, effective March 16, 1989)



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## Section 1220.150 Licensure (Repealed)

An applicant who successfully completed his dental examination prior to November 7, 1963, must complete his registration by payment of \$5.00 certificate fee, within two (2) years of the date of notification that he is eligible for licensure, except that a successful applicant who entered the Armed Forces subsequent to September-16, 1949, before completing his registration may complete his registration within two (2) years of the date of separation from the Armed Forces.

(Source: Repealed at 13 Ill. Reg. 4191, effective March 16, 1989.)

## Section 1220.160 Restoration

a) A licensee seeking restoration of his license after it has expired for less than five (5) years shall have his license restored upon payment of \$10 plus all lapsed renewal fees.

b) A licensee seeking restoration of his license after it has expired for five (5) years or more shall file an application, on forms supplied by the Department, together with the fees required by Section 21 of the Act. The licensee shall also submit either:

1) Certification of lawful active practice in another jurisdiction. Such certification shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the registrant was authorized to practice during the term of said active practice, or

2) An affidavit attesting to military service as provided in Section 16 of the Act. If an applicant applies for restoration of his license within 2 years of termination of such service, he shall have his license restored without paying any lapsed renewal or restoration fees.

c) If the licensee has not maintained an active practice in another jurisdiction for over 5 years, he shall be required to take and pass the clinical

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examination as provided in Section 1220.120(a)(2) or take and pass the NERB examination or its regional equivalency.

(Source: Added at 13 Ill. Reg. 4191, effective March 16, 1989.)

## Section 1220.220 Clinical Examination

a) The examination conducted by the Department for dental hygienist licensure shall be held twice each year. Applicants shall have passed the Theoretical examination given by Joint Commission on National Dental Examinations before taking the Clinical Examination. The Clinical Examination shall be conducted in the following subjects:

- 1) Dental Hygiene Comprehensive
- 2) Clinical Performance

A) Selection of Patient	Review of	Required
B) History Charting	Records	
C) Taking Radiographs		
CB) Treatment Exercise		

b) Applicants for dental hygiene licensure must achieve at least 75% in each subject an average of 75 in order to be successful in the Clinical. Section 1220.231, below sets out the examination retake requirements applicable to applicants who fail the Clinical on one or more occasions.

c) The provisions of this Section shall be waived for a candidate for licensure to practice dental hygiene who makes application in form and substance satisfactory to the Department under Section 3b 13 of the Illinois Dental Practice Act and causes to be filed with the Department, in addition to his application, proof of successful completion of the North East Regional Board (NERB) Examination or its regional equivalency taken within the past five (5) years with scores of at least 75% in each section, subject which must be forwarded directly to the Department.

(Source: Amended at 13 Ill. Reg. 4191, effective March 16, 1989.)



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Section 1220.231 System of Retaking the Clinical Examination conducted by the Department.

a) First Failure. On the second examination attempt, an applicant shall be required to take only that section(s) of the clinical examination in which he did not achieve a score of at least 75%.

b) Second Failure

1) Prior to the third examination attempt, an applicant must submit proof of further study, as specified below:

A) Applicants who have two successive failures in the Dental Hygiene Comprehensive Section of the examination are required to take 20 clock hours of additional training through instruction in an institution of higher learning with an approved program.

B) Applicants who have two successive failures in the Clinical Performance Section of the examination are required to take 40 clock hours of additional training, both didactic and practical, through instruction at an institution of higher education with an approved program.

2) At the third examination, an applicant will be required to take only that Section(s) he failed on the second attempt.

c) Third failure

1) Prior to the fourth examination, an applicant must submit proof of satisfactory completion of the repetition of the senior year of an approved program in dental hygiene.

2) At the fourth examination, an applicant will be required to retake the entire Clinical examination.

d) Subsequent failures. For purposes of additional study prior to retakes, the fifth examination will be considered the same as the third, except that the

applicant will be required to retake the entire clinical examination in each additional attempt.

e) If an applicant applies for the Illinois State constructed examination after having failed the NERB examination or its regional equivalency one or more times, the NERB or its regional equivalency shall be considered Illinois examination failures for purposes of retake.

ef) Dental Hygiene Consultants. The Department may upon the recommendation of the Examining Committee Board, appoint Illinois licensed hygienists to act as consultants to said Examining Committee Board for the purpose of assisting in the practical portion of the dental hygiene examination.

g) The provisions of this Section shall apply to all applicants upon adoption without regard to where the applicant is in the application process.

(Source: Amended at 13 Ill. Reg. 419, effective March 16, 1989)

Section 1220.240 Permitted Duties of Dental Auxiliaries

a) Permitted Duties of an Appropriately Trained Dental Assistant

1) A licensed dentist may delegate to an appropriately trained dental assistant those procedures for which the dentist exercises supervision and full responsibility as long as the delegated functions do not include:

A) Those procedures which require professional judgment and skill, such as diagnosis and treatment planning and the cutting of hard or soft tissues or any intraoral procedure which will be used directly in the fabrication of an appliance;

B) Those procedures specifically allocated to licensed dental hygienists; and

C) Those procedures forbidden by paragraph (f) of Section 5 17 of the Act.



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- 2) Appendix B of this Part contains an illustrative list of those procedures which may be performed by an appropriately trained dental assistant.
- 3) An appropriately trained dental assistant is a person who is considered by the responsible dentist to be competent to perform acts appropriate for dental assistants, either through formal education in the area or through on-the-job training.

## b) Permitted Duties of a Dental Hygienist

- 1) Dental hygienists may perform dental health education functions and may record case histories and oral conditions observed.

## 2) Scope of Duties

- A) Hygienists may perform all procedures which may be performed by an appropriately trained dental assistant.
- B) Hygienists may not perform procedures which require the professional judgment and skill of a dentist, such as diagnosis and treatment planning.

- 3) Appendix C of this Part contains an illustrative list of those procedures which may be performed by registered dental hygienists.

- 4) The licensed dentist need not be present in the facility for a dental hygienist to perform the procedures outlined in Appendix C of this Part on persons who reside in a long-term care facility, licensed by the State of Illinois or a mental health or developmental disability facility operated by the Department of Mental Health and Developmental Disabilities hospital or other similar institution and are unable to travel to a dental office because of illness or infirmity. The dentist shall personally examine and diagnose the patient and determine which services are necessary to be performed, which shall be contained in a written order to the hygienist. Such order must be implemented within 6 months 90 days of its issuance and an

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updated medical history and oral inspection must be performed by the hygienist immediately prior to beginning the procedures to ensure that the patient's health has not changed in any manner to warrant a re-examination by the dentist.

- c) All intraoral procedures performed by a dental auxiliary, except those provided for in subsections (b)(1) and (b)(4), above, must be examined by the supervising dentist prior to the dismissal of the patient from the facility that day.

(Source: Amended at 13 Ill. Reg. 4191, effective March 16, 1989)

Section 1220.260 Restoration

- a) A licensee seeking restoration of his license after it has expired for less than five (5) years shall have his license restored upon payment of \$10 plus all lapsed renewal fees, but not to exceed \$85.
- b) A licensee seeking restoration of his license after it has expired for five (5) years or more shall file an application, on forms supplied by the Department, together with the fees required by Section 21 of the Act. The licensee shall also submit either:

- 1) Certification of lawful active practice in another jurisdiction. Such certification shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of said active practice; or
- 2) An affidavit attesting to military service as provided in Section 16 of the Act. If an applicant applies for restoration of his license within 2 years of termination of such service, he shall have his license restored without paying any lapsed renewal or restoration fees.
- c) If the licensee has not maintained an active practice in another jurisdiction for over 5 years, he shall be required to take and pass the clinical



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examination as provided in Section 1220.220 or take and pass the NERB examination or its regional equivalency.

(Source: Added at 13 Ill. Reg. 4191, effective March 16, 1989 )

## Section 1220.340 Specialty Listing (Repealed)

A licensed dentist who holds a certificate as a specialist in a particular branch of dentistry issued to him by the Department under the Act, may list his specialty only as it appears on his certificate and shall not attach thereto or use in conjunction therewith any other word or words explanatory or descriptive thereof. This Section is applicable in all instances where the specialty appears in conjunction with the licensee's name in public print, including listings in professional and telephone directories, professional card stationery, appointment cards, announcements relating to change of business address, absence from, and return to business, and wherever it appears on the premises where he is engaged in his profession.

(Source: Repealed at 13 Ill. Reg. 4191, effective March 16, 1989 )

## Section 1220.350 Restoration

a) A licensee seeking restoration of his license after it has expired for less than five (5) years shall have his license restored upon payment of \$10 plus all lapsed renewal fees.

b) A licensee seeking restoration of his license after it has expired for five (5) years or more shall file an application, on forms supplied by the Department, together with the fees required by Section 21 of the Act. The registrant shall also submit either:

- 1) Certification of lawful active practice in another jurisdiction. Such certification shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of said active practice; or

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- 2) An affidavit attesting to military service as provided in Section 16 of the Act. If an applicant applies for restoration of his license within 2 years of termination of such service, he shall have his license restored without paying any lapsed renewal or restoration fees.

- c) If the licensee has not maintained an active practice in another jurisdiction for over 5 years, he shall be required to take and pass the clinical examination as provided in Section 1220.320.

(Source: Added at 13 Ill. Reg. 4191, effective March 16, 1989 )

## SUBPART D: GENERAL

## Section 1220.400 Reportable Diseases and Conditions

Whenever a dentist or dental hygienist becomes aware that a patient has or may have a contagious, infectious and communicable disease which is dangerous to the public health, such information shall be reported to the Illinois Department of Public Health in accordance with the rules of the Department of Public Health (77 Ill. Adm. Code 690).

(Source: Added at 13 Ill. Reg. 4191, effective March 16, 1989 )

## Section 1220.410 Dental Reciprocity Endorsement

- a) Reciprocal applicants are accepted from all States and Puerto Rico, providing like reciprocity is granted to Illinois registrants.

- b) Reciprocity is granted on an individual basis.

- e) Interview Required

- 1) The applicant must appear for an oral interview before the Dental Committee to determine which part, if any, of the practical examination he will be required to take.

- 2) The interview consists of questions relating to the applicant's:

- A) Past history in dental practice ever how long has he practiced, when did he last



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actively practice dentistry, has he ever been disciplined by a licensing board;

- B) Medical and physical condition; and
- C) Knowledge of areas related to the current practice of dentistry to determine whether the applicant will be required to take any portion of the practical licensure examination.
- d) The applicant must submit the following documents with his application.
  - 1) Proof of having graduated from a dental college approved by the Department.
  - 2) Proof of having been licensed by examination.
  - 3) Proof that the licensing agency of the State from which the applicant is reciprocating will grant like reciprocity to the State of Illinois.
  - 4) Proof of having been in active, legal practice of dentistry for at least five years. Military service may be credited toward the required five years of practice.

a) A person seeking licensure in Illinois as a dentist or as a dental hygienist who is so licensed in another state or territory and has maintained a lawful practice in that jurisdiction for 5 years or more prior to application in Illinois, may be granted licensure in Illinois upon proof that the requirements for licensure in the other jurisdiction are at least equal to the requirements in Illinois.

b) The applicant shall file an application for licensure on forms provided by the Department, which shall include:

- 1) Certification of licensure in the other jurisdiction stating:
  - A) The time during which the applicant was licensed in that jurisdiction, including

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the date of the original issuance of the license;

- B) A description of the licensure examination in that jurisdiction; and
  - C) Whether the files of the jurisdiction contain any record of any disciplinary action taken or pending;
- 2) The applicant's National Board of Dentistry Examination scores, which must be forwarded to the Department from the Joint Commission on National Dental Examinations;
  - 3) For dental applicants, certification of successful completion of 60 semester hours or its equivalent of college level pre-dental education and graduation from a course of instruction in a dental school which meets the minimum education standards of the Department specified in Section 1220.140;
  - 4) For dental hygienists, certification of 2 academic years of credit in an approved school of dental hygiene which meets the minimum education standards of the Department specified in Section 1220.250.
  - 5) Verification of employment;
  - 6) A complete work history indicating all employment since graduation from dental school or dental hygiene program; and
  - 7) Certifications from any other jurisdiction in which the applicant is licensed which shall contain the information specified in subsection (1) above.
  - 8) Fees required under Section 21(a)(4) and (b)(3) of the Act.
  - c) In determining whether the requirements for dental licensure are equal to those in Illinois, the Department shall accept state constructed examinations for licensure which test the following subject areas:
    - 1) restorative;
    - 2) prosthetics;



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- 3) periodontics;
- 4) comprehensive treatment planning (CTP); and
- 5) diagnosis, oral medicine and radiology (DOR).

d) The Department shall also accept the NERB examination or its regional equivalent for dental licensure.

e) In determining whether the requirements for licensure as a dental hygienist are equal to those in Illinois, the Department shall accept state constructed examinations which test the following subject areas:

- 1) selection of patient;
- 2) review of required records; and
- 3) treatment exercise.

f) The Department shall also accept the NERB examination or its regional equivalent for dental hygienist licensure.

g) Each application shall be reviewed on an individual basis by the Board in accordance with the provisions of this Section.

(Source: Section repealed, new Section adopted at 13 Ill. Reg. 4191, effective Mar. 16, 1989)

## Section 1220.421 Advertising

a) Specialty Terminology

- 1) Except as provided in subsection (a)(2), below, advertising by a dentist who does not hold a specialty license shall not include either:

A) The following words or variations of these words:

Endodontics  
Periodontics  
Periodontics  
Prostheticodontics  
Orthodontics  
Oral and Maxillofacial Surgery, or

- B) The words "practice limited to" or "specializing in" in conjunction with

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words directly related to the foregoing specialties.

- 2) Words relating to specialties (but not the names of the specialties) may be used, but the advertisement must not imply he has a specialty license. Specific fees are specific dollar amounts or a range of specific dollar amounts. Advertisements under this paragraph must contain information that the dentist is licensed as general dentistry in connection with the name of the dentist.

- 3) Advertising may not use language suggesting a dental specialty which does not exist under the Dental Practice Act. Example: Family Dentistry, Family Practitioner.

- b) Fictitious or assumed names. A dentist may incorporate as a professional service corporation under a fictitious or an assumed name, however, all advertisements for dental services to be performed by member(s) of a professional service corporation must include the name(s) of the licensed dentist(s) involved.

- e) Any dental advertising that is not authorized by Section 120 of the Act is prohibited.

- a) Persons licensed to practice dentistry in the State of Illinois may advertise in any medium or other form of public communication in a manner which is truthful, and which is not fraudulent, deceptive, inherently misleading or proven to be misleading in practice. Such advertising shall contain all information necessary to make the communication not misleading and shall not contain any false or misleading statement or otherwise operate to deceive.

- b) Information which may be contained in such advertising includes:

- 1) Dentist's name, address, office hours, and telephone number;
- 2) Schools attended;



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- 3) Announcement of the opening of, change of, or return to practice;
- 4) ANNOUNCEMENT OF ADDITIONS TO OR DELETIONS FROM PROFESSIONAL DENTAL STAFF; (Section 45 of the Act)
- 5) Dentist's hospital affiliation(s);
- 6) Any specialty licenses held, Board certification, professional society memberships and any limitations or concentrations of practice;
- 7) Credit arrangements and/or acceptance of Medicare/Medicaid patients;
- 8) Foreign language ability;
- 9) Usual and customary fees for routine professional services which must include a statement that fees may be adjusted due to complications or unforeseen circumstances unless the fees do not vary under any circumstances.
- 10) Description of offices in which dentist practices, e.g., accessibility to the handicapped, laboratory facilities on the premises, convenience of parking; and,
- 11) OTHER INFORMATION ABOUT THE DENTIST, THE DENTIST'S PRACTICE, OR THE TYPES OF PRACTICE IN WHICH THE DENTIST WILL ACCEPT EMPLOYMENT, WHICH A REASONABLE PERSON MIGHT REGARD AS RELEVANT IN DETERMINING WHETHER TO SEEK THE DENTIST'S SERVICES. (Section 45 of the Act)

- c) If an advertisement is communicated to the public over television or radio, it shall be prerecorded and approved for broadcast by the dentist, and a recording of the actual transmission, including videotape, shall be retained by the dentist for a period of at least three (3) years. Upon a written request from the Department, a dentist shall provide the Department with a copy of any such advertisement within seven working days of receipt of the request. (e.g., upon initiation of any investigation, receipt of a complaint, inquiry from the public, etc.)

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- d) Information which may be untruthful, fraudulent, deceptive, inherently misleading, or which has proven to be misleading in practice includes that which:
- 1) Contains a misrepresentation of fact or omits a material fact required to prevent deception;
  - 2) Guarantees favorable results or creates false or unjustified expectations of favorable results;
  - 3) Takes advantage of the potential client's fears, anxieties, vanities, or other emotions;
  - 4) Contains testimonials and/or exaggerations pertaining to the quality of dental care;
  - 5) Describes as available products or services which are not permitted by the laws of this State and/or applicable Federal laws; and,
  - 6) Advertises professional services which the dentist is not licensed to render.
- e) A dentist may incorporate as a professional service corporation under a fictitious or an assumed name; however, all advertisements for dental services to be performed by members or employees of the corporation must comply with the following conditions:
- 1) A dentist licensed and practicing in Illinois shall be designated at each practice location for the corporation who shall assume responsibility for all advertising in Illinois.
  - 2) The name, office address and office phone number of the designated dentist(s) shall appear in all advertising for the corporation.
  - 3) The name(s) of the owner(s) of the corporation, if other than the designated dentist(s), shall appear in all advertising for the corporation.
  - 4) A list of all dentists employed by the corporation who perform dental services shall be prominently displayed at the location where they practice.



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- 5) If the corporation offers to practice both general dentistry and any licensed specialty, all advertising for the specialty shall include the name of the licensed dental specialist(s) who performs the specialty services.

f) When words relating to specialty practice are used in an advertisement, the advertisement must not imply that the dentist offering those services is licensed as a specialist unless he holds a specialty license issued by the Department. Words that cannot be used by a dentist unless licensed in that specialty are Endodontist, Pedodontist, Pediatric Dentist, Periodontist, Prosthodontist, Orthodontist, Oral and Maxillofacial Surgeon or Oral Surgeon. Terms as "Specialist", "Practice Limited To" or "Limited To Specialty Of", with the name of such branch of dentistry practiced as a specialty, (Endodontics, Pedodontics (Pediatric Dentist), Periodontics, Prosthodontics, Orthodontics, and Oral and Maxillofacial Surgery) shall be prima facie evidence that such dentist is holding himself out to the public as a specialist. A general dentist who advertises, in any media, using words or phrases customarily used by a specialist, except those prohibited above, but who does not hold a specialty license, shall include in such advertisement a prominent disclaimer that he is licensed only as a general dentist.

g) Any advertisements offering the availability of those recognized dental specialties specified in Section 1220.320 of this Part, or offering the availability of some other "specialty" practice not specifically recognized by the Department shall contain a prominent disclaimer in the form of a statement setting forth the specialty(ies) in which the dentist is licensed in Illinois and/or a statement that the dentist is licensed to practice as a general dentist in Illinois.

h) Advertising shall not use language suggesting a dental specialty which is not specified in Section 1220.320 of this Part unless it contains the disclaimer required in subsection (g), above. Examples of language requiring disclaimer: family dentistry, cosmetic dentistry, restorative

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dentistry, preventive dentistry, hospital dentistry, implant dentistry, TMJ, cranio mandibular dentistry.  
(Source: Amended at 13 Ill. Reg. 4191, effective March 16, 1989.)

## Section 1220.425 Referral Services

a) The practice of dentistry in the State of Illinois affects the public health, safety and welfare, and consequently regulation and control of the various aspects of dental practice is in the public interest. The offering to refer dental patients and the operation of a dental referral service is considered to be a matter of public interest.

b) If a dental referral service receives compensation or anything of value from dentists in exchange for making referrals, it must disclose in its advertisements and communications to the public that it is compensated. Failure to disclose in accordance with this rule shall be considered fee-splitting in violation of Section 23 of the Dental Practice Act.

c) If a person requesting a referral is expected to pay the referral service, there must be full disclosure of such fees at the time of the initial inquiry to the person using the service.

d) A referral service may only make referrals to licensed dentists or dental specialists who have consented in writing to accept referrals from that referral service.

e) A referral service shall not represent that it is able to practice dentistry as defined in Section 17 of the Dental Practice Act or practice dentistry, furnish dental advice or services, diagnose or treat conditions of the teeth, gums or jaw, remove stains or calculus from teeth, or furnish, construct or repair dentures, bridges or other appliances or substitutes for natural teeth unless the referral service is operated by a licensed dentist. Any referral service operated by a licensed dentist which refers services to that dentist's own dental practice or a dental practice which he is in any way affiliated with shall disclose these facts at the time of such referral. Failure to comply with this provision shall be considered a violation of Section 8 of the Dental Practice Act.



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- f) This Section shall not apply to dentists who refer a patient for treatment or consultation to another dentist or dental specialist in the course of their dental practice.

(Source: Added at 13 Ill. Reg. 4191, effective March 16, 1989)

Section 1220.431 Employment by Corporation (Repealed)

A dentist providing dental services to the general public for a fee may be employed by a professional service corporation incorporated under the "Professional Service Corporation Act," but not by a business corporation incorporated under the "Business Corporation Act." (See Section 18a of the Dental Practice Act.)

(Source: Repealed at 13 Ill. Reg. 4191, effective March 16, 1989)

Section 1220.435 Renewals

- a) Every certificate of registration license and anesthesia permit issued under the Act shall expire on September 30 of each even numbered year. The holder of a certificate of registration license or permit may renew such certificate license or permit during the month preceding the expiration date thereof by paying the required fee in Section 21(a)(5) and (b)(4) of the Act.

- b) It is the responsibility of each registrant to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee. No anesthesia permit shall be renewed if the dental license of the permit holder is expired, revoked, suspended, or otherwise subject to professional discipline under Section 23 of the Act.

- c) It is the responsibility of each licensee to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee and renewal of one's license.

(Source: Amended at 13 Ill. Reg. 4191, effective March 16, 1989)

SUBPART E Anesthesia Permits

Section 1220.500 Definitions

"Deep Parenteral Conscious Sedation" means a controlled state of depressed consciousness, accompanied by partial loss of protective reflexes, including inability to respond purposefully to verbal command, produced by a pharmacologic method.

"General Anesthesia" means a controlled state of unconsciousness accompanied by a partial or complete loss of protective reflexes, including inability to independently maintain an airway and respond purposefully to physical stimulation or verbal command, produced by a pharmacologic method.

"Light Parenteral Conscious Sedation" means a minimally depressed level of consciousness under which an individual retains the ability to independently and continuously maintain an airway and respond appropriately to physical stimulation and verbal command, produced by a pharmacologic method.

(Source: Added at 13 Ill. Reg. 4191, effective March 16, 1989)

Section 1220.510 Light Parenteral Conscious Sedation

- a) A licensed dentist seeking a permit to administer light parenteral conscious sedation shall file an application with the Department, on forms provided by the Department, which includes:

- 1) certification of completion of an advanced education program in anesthesiology which meets the requirements set forth in Section 1220.540(a); or
- 2) for applicants who have been administering light parenteral conscious sedation, evidence of experience and/or education which includes, but not limited to, the following:
  - A) all continuing education or advanced education courses in light parenteral conscious sedation within the last three years;



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- B) the number of patients to which the applicant has administered light parenteral conscious sedation within the last three years;
- C) a summary of drugs, average doses and duration of procedure in the administration of light parenteral conscious sedation in the last 3 years; and
- D) any adverse occurrences in the administration of light parenteral conscious sedation as set forth in Section 1220.550.
- 3) in order to be licensed in accordance with subsection (2) above, the applicant must apply by December 31, 1989.
- 4) a signed affidavit certifying that he will practice in a facility properly equipped in accordance with subsection (e) below for the administration of light parenteral conscious sedation and staffed with a supervised team which consists of a minimum of two individuals, in addition to the dentist, capable of handling procedures, problems and emergencies incident to the administration of such sedation (e.g., cardiopulmonary resuscitation); and
- 5) the required fee set forth in Section 8.1 of the Act.
- b) Upon review and recommendation of the Board in accordance with the standards set forth in this Section, the Department will issue a light parenteral conscious sedation permit (Permit A).
- c) Licensees qualified to administer general anesthesia or deep parenteral conscious sedation (Permit B) pursuant to Section 1220.520 may administer light parenteral conscious sedation without a Permit A.
- d) If the accuracy, relevance or sufficiency of any submitted documentation is questioned by the Department or the Board, because of discrepancies or conflicts in information, needing further

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- clarification, and/or missing information, additional documentation may be required and/or an on-site evaluation of the facilities, equipment and personnel may be conducted by the Department or a member of the Board's Advisory Panel prior to the issuance of a permit.
- e) A properly equipped facility shall include at a minimum:
- 1) sphygmomanometer and stethoscope;
  - 2) an oxygen delivery system with full face masks and connectors, which is capable of delivering oxygen to the patient under positive pressure, with a backup system;
  - 3) emergency drugs and equipment;
  - 4) suction equipment; and
  - 5) an emergency back-up lighting system which is battery powered and which will permit the completion of any operation underway.
- f) The following records shall be kept during the administration of light parenteral conscious sedation:
- 1) medical history of the patient prior to the performance of any procedure;
  - 2) preoperative, intraoperative, and pre-discharge monitoring of blood pressure, pulse and respiration; and
  - 3) drugs and dosages of these drugs used during the operative procedure.
- (Source: Added at 13 Ill. Reg. 4191, effective March 16, 1989.)
- Section 1220.520 General Anesthesia and Deep Parenteral Conscious Sedation
- a) A licensed dentist seeking a permit to administer general anesthesia or deep parenteral conscious sedation shall make application to the Department,



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on forms provided by the Department, which shall include:

- 1) certification of completion of advanced training in anesthesiology in a program approved by the Department in accordance with Section 1220.540(b); or
- 2) a copy of the certification from one of the following:
  - A) a diplomate of the American Board of Oral and Maxillofacial Surgery; or
  - B) eligible for examination by the American Board of Oral and Maxillofacial Surgery; or
  - C) a member of the American Association of Oral and Maxillofacial Surgeons; and
  - D) license in Oral and Maxillofacial by the State of Illinois.

- 3) a signed affidavit certifying that he will practice in a facility properly equipped in accordance with subsection (d) below for the administration of general anesthesia and deep parenteral conscious sedation and staffed with a supervised team which includes a minimum of two individuals, in addition to the dentist, capable of handling procedures, problems and emergencies incident to the administration of such sedation (e.g., cardiopulmonary resuscitation); and
- 4) pay the required fee set forth in Section 8.1 of the Act.

- b) Upon review and recommendation of the Board in accordance with the standards set forth in this Section, the Department will issue a general anesthesia or deep parenteral conscious sedation permit (Permit B).

- c) If the accuracy, relevance or sufficiency of any submitted documentation is questioned by the Department or the Board, because of discrepancies or conflicts in information, needing further clarification, and/or missing information,

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additional documentation may be required and/or an on-site evaluation of the facilities, equipment and personnel may be conducted by the Department or a member of the Board's Advisory Panel prior to the issuance of a permit.

- d) Each facility where general anesthesia or deep parenteral conscious sedation is administered shall be equipped with that equipment specified in Section 1220.510(e) as well as the following:
  - 1) laryngoscope complete with selection of blades and spare batteries and bulb;
  - 2) endotracheal tubes and connectors;
  - 3) tonsillar or pharyngeal suction tip adaptable to all office suction outlets;
  - 4) endotracheal tube type forceps;
  - 5) electrocardioscope and defibrillator;
  - 6) equipment for the establishment of an intravenous infusion;
  - 7) emergency drugs (e.g., anticonvulsants, muscle relaxants, antihistamines);
  - 8) an operating table or an operating chair which permits appropriate access to the patient and provides a firm platform for the management of cardiopulmonary resuscitation; and
  - 9) a recovery area which has available oxygen, lighting, suction and electrical outlets. The patient should remain in the recovery area until the individual retains the ability to independently and consciously maintain an airway and respond appropriately to physical stimulation and verbal command. The recovery area may be the operating theatre.
  - 10) an emergency back-up lighting system which is battery powered and which will permit the completion of any operation underway.

- e) The following records shall be kept when administering general anesthesia and deep parenteral conscious sedation:



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- 1) medical history of the patient prior to the performance of any procedure;
- 2) preoperative, intraoperative, and pre-discharge monitoring of blood pressure, pulse and respiration;
- 3) EKG monitoring during the entire procedure; and
- 4) drugs and dosages of these drugs used during the operative procedure.

(Source: Added at 13 Ill. Reg. 4191, effective March 16, 1989.)

## Section 1220.530 Anesthesia Review Panel

- a) The Director shall appoint upon recommendation of the Board an Anesthesia Review Panel which shall consist of five members.

- b) The members shall meet the following minimum requirements:

- 1) a licensed dentist in the State of Illinois whose license is active and in good standing;
- 2) two members shall meet the requirements of Section 1220.510(a) for issuance of light parenteral conscious sedation (Permit A) and shall apply for said permit;
- 3) three members shall meet the requirements of Section 1220.520(a) for issuance of a general anesthesia or deep parenteral conscious sedation permit (Permit B) and shall apply for said permit.

- c) The duties of the Panel shall include:

- 1) review of Permit A and Permit B applications in accordance with the provisions of Sections 1220.510 and 1220.520;
- 2) recommend to the Board the eligibility of applicants;
- 3) recommend to the Board when an on-site inspection may be necessary and conduct inspection with a Board member present;

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- 4) evaluate results of on-site inspection and make recommendation to the Board as to eligibility of applicants; and
- 5) advise the Board in regard to anesthesiology related matters which includes mortality and morbidity statistics.

- d) Each Panel member shall serve a one-year term.

(Source: Added at 13 Ill. Reg. 4191, effective March 16, 1989.)

## Section 1220.540 Approved Programs in Anesthesiology

- a) Light Parenteral Conscious Sedation

The anesthesiology training program shall:

- 1) include at least a minimum of 120 hours of clinical training and 10 hours of didactic training in anesthesia and related academic subjects (i.e., physiology, pharmacology) over and above the requirements of Section 1220.140
- 2) be completed within three consecutive months or in an organized sequence of study operated by one entity and completed in less than one calendar year.

- b) General Anesthesia or Deep Parenteral Conscious Sedation

- 1) An approved training program in anesthesiology to administer general anesthesia or deep parenteral conscious sedation shall be one calendar year which includes a minimum of 100 hours of didactic and 1,000 hours of clinical training.

- 2) The didactic aspect may precede the clinical training or it may be offered in an integrated manner. The trainee must receive the equivalent of one calendar year, on a consecutive basis, not to exceed two years, as the minimum required to provide an acceptable clinical and didactic program in comprehensive pain control. Both lectures and seminars are appropriate for providing the didactic



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training. The didactic subject matter shall include:

- A) The basic sciences (physiology, pharmacology, anatomy, biochemistry). The instruction shall not be based only on its relationship to a limited technical practice of anesthesia but shall also provide the opportunity for a thorough understanding of the processes of respiration, circulation, kidney function, and liver function.
- B) Patient evaluation (physical diagnosis and internal medicine);
- C) Psychological aspects of human behavior and management of pain;
- D) Techniques of pain control, including physical, psychological and pharmacological methods; and
- E) Management of related emergencies and complications.

- 3) If the advanced training is obtained in a hospital based residency in anesthesiology, the training shall be restricted to those hospitals having anesthesia training programs approved by the Council on Medical Education of the American Medical Association or American Dental Association or American Dental Society of Anesthesiology.

- C) An anesthesiology training program shall be based in a university or hospital.

(Source: Added at 13 Ill. Reg. 4191, effective March 16, 1989)

## Section 1220.550 Reporting of Adverse Occurrences

- a) A dentist who holds either Permit A or Permit B shall report to the Department within 72 hours each adverse occurrence related to the administration of general anesthesia or light or deep parenteral conscious sedation which results in the death of a patient within 24 hours of the procedure.

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- b) A dentist who holds either Permit A or Permit B shall report to the Department within 30 days each adverse occurrence related to the administration of general anesthesia or light or deep parenteral conscious sedation which results in permanent organic brain dysfunction of a patient within 24 hours of the procedure or physical injury which results in hospitalization of a patient within 24 hours of the procedure.

- c) The adverse occurrence report shall include:

- 1) the dentist's name, license number and anesthesia permit number;
  - 2) the date and time of the occurrence;
  - 3) the facility where the occurrence took place;
  - 4) the name of the patient;
  - 5) the surgical procedure involved;
  - 6) the type and dosage of sedation or anesthesia utilized in the procedure; and
  - 7) the circumstances involved in such occurrence.
- d) Upon receipt of any such report, the Department shall make such investigation pursuant to Section 25 of the Act and 68 Ill. Adm. Code 1110.
  - e) Failure to provide such information to the Department shall be grounds for discipline.

(Source: Added at 13 Ill. Reg. 4191, effective March 16, 1989)

## Section 1220.560 Restoration of Permits

- a) A licensee seeking restoration of his permit after it has expired for less than five (5) years shall have his permit restored upon payment of \$10 plus all lapsed renewal fees.
- b) A licensee seeking restoration of his permit after it has expired for more than five (5) years shall file an application, on forms supplied by the Department, together with the fees required by



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Section 8.1 of the Act. The licensee shall also submit either:

- 1) Sworn evidence of lawful active practice in another jurisdiction. Such evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of said active practice; or
- 2) An affidavit attesting to military service as provided in Section 16 of the Act. If an applicant applies for restoration of his permit within 2 years of termination of such service, he shall have his permit restored without paying any lapsed renewal or restoration fees.

(Source: Added at 13 Ill. Reg. 4191, effective March 16, 1989.)

Section 1220. Appendix A Pre-clinical Restorative Dentistry Sub-section (Repealed)

The applicant shall be responsible for supplying a Columbia Dentiform Type MS-560 with full complement of unaltered ivoryine or plastic teeth, and shall supply all other instruments and materials.

The following basic cavity preparation shall be performed:

- a) Outline form
- b) Resistance form
- c) Retention form
- d) Convenience form
- e) Finishing of margins
- f) Final cleansing of preparation

The applicant shall be given an amalgam, silicate or composite gold foil and cast gold preparation to prepare and either the amalgam or silicate or composite and the gold foil or cast gold restoration shall be carried to completion as indicated by the Examiner.

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All preparations shall be graded prior to the completion of the restoration.

All indicated final restoration will be graded upon completion.

(Source: Repealed at 13 Ill. Reg. 4191, effective March 16, 1989.)

Section 1220. Appendix B Dental Assistant Permitted Procedures

The following procedures may be performed by an appropriately trained dental assistant if the licensed dentist responsible for the patients in that practice:

- a) Is in the same room during the performance of the procedures:
  - 1) Provide chairside assistance to the dentist who is performing dental operations and act in response to the dentist's specific directions, such as retracting a patient's cheek, tongue, or other oral tissue.
  - 2) List on a shaft chart the mouth oral condition as dictated by the dentist who is performing a dental examination, and record preliminary medical and dental histories.
- b) Is in the dental facility during the performance of the procedures:
  - 1) Provide chairside assistance to a dental hygienist, perform certain tasks consisting of traditional chairside assisting such as retraction of patient's tongue, cheek, or other oral tissue.
  - 2) Remove oral debris by water, compressed air and vacuum devices.
  - 3) Mix dental materials to be used by the dentist.
  - 4) Receive removable prostheses for cleaning and repair by the dentist or the dental laboratory technician on written order of the dentist.
  - 5) Seat patients, place protective garments, lubricate lips, and otherwise prepare patients for the dentist.



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- 6) Pre-selection and contouring of temporary crown forms extraorally for placement of filling material and seating of temporary crown by the dentist.
- 7) Place and remove rubber dams and ~~excluding clamps, place rubber or wire orthodontic separators.~~
- 8) Remove excess cement ~~or bonding material~~ from clinical crown of tooth.
- 9) Remove periodontal packs and sutures excluding wire sutures.
- 10) Expose and process roentgenograms of teeth, the alveolar process, or any of the bony parts necessarily involved.
- 11) Place and remove metal, celluloid, or plastic matrices and wedges between teeth for placement of filling material by the dentist.
- 12) Provide instructions in placement of devices of a type which are usually or normally placed in the patient's mouth by the patient himself.
- 13) Take impressions of the mouth for the purpose of making diagnostic casts or model casts.
- 14) For impressions other than those used for diagnostic purposes, selection of impression trays and holding of impressions after they have been seated by dentist, and remove such impression at the direction of the dentist.
- 15) Instruct patients in oral hygiene, intra-oral elastics, or the care and use of orthodontic appliances.
- 16) Pre-selection extraorally of preformed orthodontic bands and/or brackets only.
- 17) Remove ligature ties, cut and tuck ligatures, remove tension devices and any loose or broken bands or arch wires.
- 18) Fixation (ligations, pinning, or fastening) of any arch wire after fitting and placement of that arch wire by a licensed dentist.

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- 19) Remove an arch wire.
- 20) Take patient's vital signs, i.e., blood pressure and pulse, etc.
- 21) Apply topical anesthetics.
- 22) Apply microidentification dots.
- c) Directs the performance of procedures which do not require direct contact with patients. The dentist need not be physically present in the office during the performance of these procedures.

(Source: Amended at 13 Ill. Reg. 4191, effective March 16, 1989)

## Section 1220. Appendix C Dental Hygienist Permitted Procedures

- a) In addition to those activities specified in Section 18 of the Act, The following procedures may be performed by a registered dental hygienist: if the licensed dentist responsible for the patients in that practice is in the dental facility during the performance of the procedures:
  - a) The operative procedure of dental hygiene, consisting of oral prophylactic procedures.
  - b) The application to the surfaces of the teeth of such chemical compounds as have the approval of the American Dental Association as desensitizing agents or as effective agents in the prevention of dental caries.
    - 1e) Polish restorations without changing the anatomy, contour or occlusion of the tooth.
    - 2d) Perform root planing and closed soft tissue curettage.
    - 3e) Place temporary restorations following examination and instruction by the dentist.
    - 4f) Apply topical anesthetics.
    - 5g) Record existing conditions through the use of radiographs.
    - 6h) Perform laboratory tests such as oral cytology smears and pulp vitality tests.



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7\*) Apply pit and fissure sealants to teeth, as prescribed by the dentist.

8\*) Remove temporary crowns and restorations using hand instruments.

b) Except under the conditions specified in Section 18 (b) of the Act a dental hygienist may be employed or engaged only under the supervision of a licensed dentist.

c) "SUPERVISION" MEANS THE SUPERVISION OF A DENTAL HYGIENIST REQUIRING THAT A DENTIST AUTHORIZE THE PROCEDURE, REMAIN IN THE DENTAL FACILITY WHILE THE PROCEDURE IS PERFORMED, AND APPROVE THE WORK PERFORMED BY THE DENTAL HYGIENIST BEFORE DISMISSAL OF THE PATIENT, BUT DOES NOT MEAN THAT THE DENTIST MUST BE PRESENT AT ALL TIMES IN THE TREATMENT ROOM. (Section 4 of the Act)

(Source: Amended at 13 Ill. Reg. 4191, effective March 16, 1989)

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1) Heading of the Part: Podiatric Medical Practice Act of 1987

2) Code Citation: 68 Ill. Adm. Code 1360

Section Numbers:	Adopted Action:	Section Numbers:	Adopted Action:
1360.10	Repealed	1360.65	Added
1360.20	Amended	1360.70	Amended
1360.30	Amended	1360.75	Added
1360.40	Amended	1360.80	Repealed
1360.45	Added	1360.85	Amended
1360.50	Amended	1360.90	Amended
1360.55	Amended	Appendix A	Repealed
1360.60	Amended	Appendix B	Repealed

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111, pars. 4806, 4808, 4809, 4810, 4812, 4814, 4815, 4816, 4817, 4818, 4821, 4822, 4824 and 4842.

5) Effective Date of Amendment: March 21, 1989

6) Does this rulemaking contain an automatic repeal date? No

7) Do these Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 17, 1989

9) Date Notice of Proposal Published in Illinois Register: September 23, 1988, at 12 Ill. Reg. 14963

10) Has JCAR issued a Statement of Objections to this (these) rule(s)? Yes

a) Statement of Objections:  
March 17, 1989, at 13 Ill. Reg. 3450

b) Agency Response:

c) Date Agency Response Submitted for approval to the Joint Committee:  
March 17, 1989

11) Difference(s) between proposal and final version:

In Section 1360.45 the phrase "in another jurisdiction" which had been placed after the words "written clinical competency examination" was deleted and now appears after the words "an applicant who has successfully completed". Also, the words "pursuant to Section 1360.40" have been added after the words "recognized by the Department".

In Section 1360.50(a)(7) "Board" has been changed to "Director".



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In Section 1360.70(b)(1) "(e.g., certificate of attendance or certificate of completion)" has been added after "program".

In Section 1360.70(c)(2)(A) "this subsection" has been changed to "subsection 3" to clarify that this certification also applies to subsection (3).

In Section 1360.70(c)(2)(C) "(e.g., certificate of attendance or course materials)" has been added after "submit such evidence".

In Section 1360.70(c)(3)(B) "relevant subject matter and course material" has been changed to "subject matter and course material relevant to podiatric medicine".

In Section 1360.70(c)(10) "(see 68 Ill. Adm. Code 1110)" has been added after "Board".

In Section 1360.70(c)(11) "to ensure compliance with the requirements of this Section" has been added at the end.

In Section 1360.70(g)(1) "set forth in Section 18(3) of the Act" has been added after "the required fee". Also, "good cause" has been changed to "extreme hardship".

Section 1360.85(d) has been added and reads as follows: "In addition to the above requirements, a podiatric physician shall comply with advertising requirements set forth in Section 21 of the Act".

In addition, various typographical, grammatical and form changes were made in response to the comments received from the Administrative Code Division and the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Amendments replace an Emergency Amendment currently in effect? No

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Amendment:

These amendments implement the Podiatric Medical Practice Act of 1987.

The language in Section 1360.20 which deals with approved colleges of podiatry has been amended to incorporate parts of Appendix A of this Part which has been repealed. The heading of Section 1360.40 was changed from

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"Examinations" to "Written Clinical Competency Examination" and the language of this Section has been modified. Section 1360.45 has been added and sets forth information required to be submitted with applications for licensure on the basis of examination.

The heading of Section 1360.50 was changed from "Reciprocity" to "Endorsement" in order to better reflect the nature of licensure by this method. Also, additional requirements for licensure by endorsement have been added to this Section. The language in Section 1360.55 dealing with renewals has been modified.

The language in Section 1360.60 dealing with restoration of a license has been modified. Also, a person seeking to restore his license under subsection (c)(3) of this Section will now be required to prove successful completion of a written clinical competency examination in accordance with Section 1360.40 rather than Part II of the National Board of Podiatry Examiners as before.

Section 1360.65 is a new section dealing with temporary licenses and sets forth criteria and procedures for obtaining and renewing a temporary license.

Section 1360.75 is a new section which sets forth procedures and standards by which visiting professor permits are issued and renewed. Section 1360.85 dealing with advertising has been modified.

16) Information and questions regarding this adopted rule shall be directed to:

Department of Professional Regulation  
Attention: Jean Courtney  
320 West Washington, 3rd Floor  
Springfield, IL 62786  
217/785-0800

The full text of the Adopted Amendments begins on the next page.



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TITLE 68: PROFESSIONS AND OCCUPATIONS  
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION  
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

## PART 1360

THE PODIATRY ACT PODIATRIC MEDICAL PRACTICE ACT OF 1987

Section  
 1360.10  
 1360.20  
 1360.30

Statutory Authority (Repealed)

Approved Colleges of Podiatry

Application for Licensure on the Basis of

Examination

Written Clinical Competency Examinations

Application for Licensure on the Basis of

Examination

Reciprocity Endorsement

Renewals

Restoration

Temporary Licenses

Continuing Education

Visiting Professor Permits

Definition of "Human Foot" (Repealed)

Advertising

Granting Variances

Curriculum Requirements (Repealed)

Clinical Training Requirements (Repealed)

APPENDIX A  
 APPENDIX B

AUTHORITY: Implementing the Podiatric Medical Practice Act of 1987 (Ill. Rev. Stat. 1987, ch. 111, par. 4801 et seq.) and authorized by Section 60(7) of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 60(7)).

SOURCE: Adopted at 4 Ill. Reg. 50, p. 58, effective December 3, 1980; codified at 5 Ill. Reg. 11053; amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 915, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 6 Ill. Reg. 8402, effective July 2, 1982; amended at 7 Ill. Reg. 7668, effective June 15, 1983; amended at 9 Ill. Reg. 5377, effective April 4, 1985; transferred from Chapter I, 68 Ill. Adm. Code 360 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1360 (Department of Professional Regulation) pursuant to P.A. 85-225 effective January 1, 1988, at 12 Ill. Reg. 2962; amended at 13 Ill. Reg. 4234, effective March 21, 1989.

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## Section 1360.10 Statutory Authority (Repealed)

These rules are promulgated pursuant to Section 1-a of "An Act to regulate the practice of podiatry in the State of Illinois," approved April 26, 1917, as amended (the "Act"), (Ill. Rev. Stat. 1979, Ch. 111, par. 4903.)

(Source: Repealed at 13 Ill. Reg. 4234, effective March 21, 1989.)

## Section 1360.20 Approved Colleges of Podiatry

a) The Department of Professional Regulation (the "Department") shall, upon the recommendation of the Podiatric Examining Committee Podiatric Medical Licensing Board (the "Board"), approve a school or college of podiatric medicine as reputable and in good standing if it meets the following minimum criteria:

1) A Dean or a designated officer, employed on a full-time basis, is responsible for coordination of student affairs and administration of the curriculum.

2) A faculty is comprised of instructors with specialty degrees in the subjects they teach from recognized professional colleges or institutions, and organized into departments, each of which has a director or chairman.

3) Has a curriculum with four academic years of instruction which contains at least these the following subjects: see forth in Appendix A of this Part, although they may be organized differently.

A) Epidemiology and Biostatistics  
 B) Anatomical Sciences  
 C) Biochemistry  
 D) Pharmacology  
 E) Microbiology  
 F) Physiology  
 G) Pathology  
 H) Dermatology  
 I) Community Health  
 J) Clinical Experience  
 K) Medical, Surgical and Physical Therapeutic Procedures



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- 4) Accepts only graduates of a four-year high school or other preparatory school who have satisfactorily completed a minimum of 60 90 semester hours of general college work at one or more accredited colleges or universities.
- 5) Maintains permanent records showing the credentials for admission, attendance and grades of each student and specifying in detail the clinical training of each student as required in subsection (a)(8), below.
- 6) Maintains a library of modern podiatric and medical texts, periodicals, and reference books.
- 7) Maintains suitable facilities for instruction in all areas of podiatric medicine, including a an x-ray diagnostic laboratory.
- 8) Provides clinical training to A) Requires students, identified as such, to treat patients:

#A in Training shall be in a facility affiliated with an approved podiatric medical college and licensed by the appropriate state hospital licensing authority, or a facility operated by a governmental unit; and ~~it~~ in the presence and under the direct personal supervision of a registered podiatrist or licensed physician who is lawfully authorized to provide the treatment required by the patients.

- B) After September 17, 1982, each student shall be required to satisfactorily complete the clinical training procedures outlined in Appendix B of this part. Such training shall include general diagnosis (history taking, physical examination, clinical laboratory procedures, diagnostic radiology); therapeutics (pharmacological, physical medicine, orthotic and prosthetics); surgery and anesthesiology; and operative procedures.

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- b) In determining whether a school or college should be approved, the Department shall take into consideration but not be bound by accreditation by the American Podiatric Association Council on Podiatric Medical Education of the American Podiatric Medical Association.
- c) Withdrawal of Approval
  - 1) The Director may, upon a written recommendation submitted by the Examining Committee Board, withdraw, suspend or place on probation the approval of a podiatric medical college for any of the following causes:
    - A) A violation of any provision of the Act;
    - B) A violation of any of these Rules; or
    - C) Fraud or dishonesty in applying for approval of a podiatric college.
  - 2) A podiatric podiatric medical college whose approval is being reconsidered by the Department shall be given written notice prior to any recommendation by the Committee Board and may either submit written comments or request a hearing before the Committee Board.

(Source: Amended at 13 Ill. Reg. 4234, effective March 21, 1989)

Section 1360.30 Application for licensure on the Basis of Examination

An applicant for a license examination for licensure as a podiatric physician shall file an completed application with the Department or its designated testing service, on forms supplied by the Department, at least 60 days prior to an examination date. The application shall include:

- a) A recent photograph not larger than 2 1/2 by 2 1/2 inches;
- b) Certified records showing credit for a minimum of 60 semester (90 quarter) hours of general college work in an accredited college;
- a) A complete work history indicating all employment since graduation from an approved podiatric medical



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- e) An applicant who fails an examination is required on his next examination to retake only those subjects in which he did not receive a grade of at least 75 percent.

(Source: Amended at 13 Ill. Reg. 4234, effective March 21, 1989)

Section 1360.45 Application for Licensure on the Basis of Examination

Each applicant for licensure as a podiatric physician in the State of Illinois, pursuant to the Podiatric Medical Practice Act of 1987 (Ill. Rev. Stat. 1987, ch. 111, pars. 4801 et seq.) (the "Act"), shall file an application with the Department which includes:

- a) A complete work history indicating all employment since graduation from an approved podiatric medical program which meets the requirements set forth in Section 1360.20;
- b) Certification of graduation from an approved podiatric medical program;
- c) Proof of a minimum score of 75 in all subject areas of Part I and Part II of the examination given by the National Board of Podiatric Medical Examiners. The applicant shall have his scores submitted to the Department directly from NBPME;
- d) Proof of successful completion of the written clinical competency examination in accordance with Section 1360.40 of this Part; and
- e) The required fee set forth in Section 18(A)(1) of the Act.
- f) An applicant who has successfully completed in another jurisdiction a written clinical competency examination which is recognized by the Department pursuant to Section 1360.40 shall have his examination scores submitted directly to the Department by the reporting entity.

(Source: Added at 13 Ill. Reg. 4234, effective March 21, 1989)

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program which meets the requirements set forth in Section 1360.20.

- b) Either:

e1) Certification of graduation from an approved podiatric college, podiatric medical program; or After January-17, 1982, such certification shall include a certification that the applicant has satisfactorily completed the clinical training procedures outlined in Appendix-B of this Part;

2) Certification that the applicant is a full-time fourth year student in an approved podiatry program. This certification must be signed by the director or registrar of the applicant's podiatric medicine program.

d) Examination results achieved on both Proof of a minimum score of 75 in all subject areas of Part I and Part II of the examination given by the National Board of Podiatric Medical Examiners (NBPME). Minimum scores required for licensure in Illinois are a general average of 75 with no subject grade below 60. The applicant shall have his scores submitted to the Department or its designated testing service, directly from NBPME.

ed) The required fee as provided for in Section 18(A)(2) of the Act.

(Source: Amended at 13 Ill. Reg. 4234, effective March 21, 1989)

Section 1360.40 Written Clinical Competency Examinations

a) Passage of the examination given by the National Board of Podiatric Examiners is required for licensure in Illinois. Each applicant for licensure as a podiatric physician in the State of Illinois shall be required to take the written clinical competency examination administered by the Department or its designated testing service.

b) A passing grade on the written clinical competency examination is an average of 75 percent with no grade below 60 percent in a particular subject.



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Section 1360.50 Reciprocity Endorsement

- a) An applicant for licensure as a podiatric physician who is licensed under the laws of another state or territory in the United States jurisdiction shall file an application with the Department together with which shall include:

1) A recent photograph not larger than 2 1/2 x 2 1/2 inches;

2) A certification from the state or territory jurisdiction of original licensure, stating:

- A) The time during which the applicant was licensed in that state, jurisdiction, and
- B) Whether the file on the applicant contains any record of any disciplinary actions taken or pending; and,

3) That such other state or territory grants similar reciprocity to podiatrists licensed in theirs; and

4) A complete work history indicating all employment since graduation from a program which meets the requirements set forth in Section 1360.20;

5) Certification of successful completion of Parts I and II of the examination given by the National Board of Podiatric Medical Examiners; or any other examination which was a requirement of original licensure;

6) A copy of the Act and/or rules which were in effect in the jurisdiction of original licensure;

7) Passage of the written clinical competency examination set forth in Section 1360.40; and

8) The required fee set forth in Section 18(A)(1) of the Act.

9) The Department may, in individual cases, upon recommendation of the Director, waive the written clinical competency examination set forth in Section 1360.40 for an applicant by

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endorsement, after full consideration of his podiatric education, training and experience, including, but not limited to, whether he has achieved special honors or awards, has had articles published in professional journals, has participated in writing textbooks relating to podiatric medicine, and any other attribute which the Director accepts as evidence that such applicant has outstanding and proven ability in podiatry.

- b) The Podiatric Examining Committee Department shall examine each endorsement reciprocity application to determine whether the requirements in such state jurisdiction at the date of licensing were substantially equivalent to the requirements then in force in this state and whether the applicant has otherwise complied with Section 6a of the Act. The Department shall within a reasonable time either issue a certificate of registration by endorsement to the applicant or notify him of the reasons for the denial of his application.

(Source: Amended at 13 Ill. Reg. 4234, effective March 21, 1989)

## Section 1360.55 Renewals

- a) Every certificate of registration license issued under the Act shall expire on January 31 of each odd numbered year. The holder of a certificate of registration license may renew such certificate license during the month preceding the expiration date thereof by paying the required fee and meeting the continuing education requirements set forth in Section 1360.70.

- b) It is the responsibility of each registrant to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee and to renew the license in a timely manner.

(Source: Amended at 13 Ill. Reg. 4234; effective March 21, 1989)



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Section 1360.60 Restoration

a) A registrant person seeking restoration of his certificate of registration license which has expired for less than five (5) years shall have his license restored upon payment of \$100. plus all lapsed renewal fees required by Section 1360.18(A)(4) of the Act and proof of continuing education, during the prerewal period, as defined in Section 1360.70 of this Part.

b) A registrant person seeking restoration of his certificate of registration license which has been placed on inactive status for less than five (5) years shall have his license restored upon payment of the current renewal fee and proof of continuing education, during the prerewal period, as defined in Section 1360.70 of this Part.

c) A registrant person seeking restoration of his certificate of registration license after it has expired or been placed on inactive status for more than five (5) years shall file an application, on forms supplied by the Department, together with the fee required by Section 1360.18(A)(4) of the Act and be scheduled for an interview before the Podiatric Examining Committee Board. The registrant person shall also submit either:

- 1) Sworn evidence of active practice in another jurisdiction and proof of continuing education as defined in Section 1360.70 of this Part. Such evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the registrant was authorized to practice during the term of said active practice; or
- 2) An affidavit attesting to military service as provided in Section 1360.15 of the Act; or
- 3) Proof of successful completion of Part II of the National Board of Podiatric Examiners a written clinical competency examination in accordance with Section 1360.40 within one year of application for restoration.
- d) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or

experience is reasonably questioned by the Department, because of discrepancies or conflicts in information, information needing further clarification, and/or missing information, the registrant seeking restoration of his certificate of registration will be requested to:

- 1) Provide such information as may be necessary; and/or
- 2) Explain such relevance or sufficiency during an oral interview; or
- 3) Appear for an interview before the Committee Board when the information available to the Committee Board is insufficient to evaluate the individual's current competency to practice under the Act. Upon the recommendation of the Committee Board, an applicant shall have his license restored.

(Source: Amended at 13 Ill. Reg. 4234, effective March 21, 1989)

Section 1360.65 Temporary Licenses

a) An applicant for a temporary license to pursue postgraduate training shall file an application with the Department, on forms provided by the Department, which includes the following:

- 1) A complete work history indicating all employment since graduation from an approved podiatric medical program which meets the requirements set forth in Section 1360.20;
- 2) Either:
  - A) Certification of graduation from an approved podiatric medical program; or
  - B) Certification that the applicant will graduate from an approved podiatric medical program before entering into the postgraduate training. This certification shall be signed by the director or registrar of the applicant's podiatric medical program.



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3) Proof of a minimum score of 75 in all subject areas of Part I and Part II of the examination given by the National Board Podiatric Medical Examiners (NBPME). The applicant shall have his scores submitted to the Department or its designated testing service, directly from NBPME.

4) Proof that the applicant has been accepted or appointed to a position in a postgraduate program approved by the Council on Podiatric Medical Education of the American Podiatric Medical Association which includes residencies and preceptorships.

5) The required fee set forth in Section 18(A)(1) of the Act.

b) A temporary license shall be valid for one year.

c) Temporary licenses may be renewed one time in the following situations:

1) Serving full-time in the Armed Forces;

2) An incapacitating illness documented by a currently licensed physician; or

3) Proof of continuance of a postgraduate training program.

d) A licensee applying for renewal of his temporary certificate shall pay to the Department a fee of \$20 to cover the printing of a new temporary license.

e) If a temporary license holder terminates or is discharged from a residency or preceptorship program, the temporary license shall be null and void. If the licensee changes his preceptorship or residency program, he shall reapply for a new temporary license.

f) If the licensee applies for a permanent podiatric physician license while holding a temporary license, no permanent license shall be issued until the temporary license is returned to the Department.

(Source: Added at 13 Ill. Reg. 4234, effective March 21, 1989)

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## Section 1360.70 Continuing Education

## a) Continuing Education Hour Requirements

1) ~~For the prerenewal period ending November-30-1982, and for each prerenewal period thereafter, each person Every renewal applicant who applies for renewal of his certificate of registration license as a registered podiatrist podiatric physician must complete 50 hours of continuing education (CE) relevant to the practice of podiatry podiatric medicine.~~

2) A prerenewal period is the 24 months preceding ~~November-30 in the year before the renewal year January 31 of each odd-numbered year.~~

3) A renewal applicant is not required to comply with CE requirements for the first renewal.

4) ~~Podiatrists Podiatric physicians licensed in Illinois but residing and practicing in other states must comply with the CE requirements set forth in this Section.~~

## b) Approved Continuing Education

1) All continuing education hours must be earned by verified attendance at or participation in a program (e.g., certificate of attendance or certificate of completion) which is offered or sponsored by an approved continuing education sponsor who meets the requirements set forth in subsection (c) below, except for those activities provided in subsections (2), (3), (4), (5), and (6) below.

2) A maximum of 18 hours of credit per prerenewal period may be earned through postgraduate training programs (i.e., extern, residency, or fellowship programs) approved by the Council on Podiatric Medical Education of the American Podiatric Medical Association as provided for in Section 5(G) of the Act.

3) A maximum of 18 hours per prerenewal period may be earned for verified teaching in an approved podiatric medical college which meets the standards set forth in Section 1360.20 and/or as an instructor of continuing education through an approved sponsor. One hour of



credit will be granted for actual presentation, plus actual preparation time of up to 2 hours for each hour of presentation. Preparation time shall not be allowed for repetitions presentations of the same course, and will only be allowed for additional study or research.

4) Up to fifteen (15) total credit hours per prenewal period may be claimed for papers, publications, books, presentations and exhibits. The preparation of each published paper, book chapter or audio-visual presentation dealing with Podiatric Medicine which is made available to health professionals may be claimed as 5 hours of credit. A presentation or exhibit must be before a professional audience of podiatrists or other health professionals. Five credit hours may be claimed for only the first time the information is published or presented.

5) Up to fifteen (15) total credit hours per prenewal period may be earned through nonsupervised individual activities in the following areas:

- A) Self-Instruction--Up to 3 hours of credit may be claimed for the use of audio-visual materials, programmed education materials, electronic teaching devices and the individual reading of podiatric medical literature.
- B) Patient Care Review--Up to 3 hours may be claimed for time spent in programs concerned with the review and evaluation of patient care. This includes such activities as peer review.
- C) Self-assessment--Up to 3 hours of credit may be claimed for time spent in self-assessment programs. These would include, for example, quizzes completed by the podiatrist after reading professional publications of a scientific or patient-care oriented nature, or completion of aptitude questionnaires provided by various organizations and societies.

D) Specialty Board or Specialty Organization Preparation--Up to 6 hours may be claimed for nonsupervised individual activities carried out in preparation for an examination or to satisfy other requirements for membership in a specialty organization. No additional credit may be claimed for taking and/or passing an examination given by the board or organization.

6) Up to ten (10) hours of credit per prenewal period may be claimed for verified formal learning experiences sponsored by hospitals, agencies, organizations or other institutions which are not approved continuing education sponsors, in subjects that facilitate the podiatrist's performance, such as courses in computerized patient-record systems, practice management, risk management or training--including advanced degree programs in education, health administration, and similar subjects.

bC) Approved CE Sponsors and Programs

- 1) CE credit shall be recognized for verified attendance at or participation in any program certified by the Department examining recommendation of the podiatry examining committee based on the following criteria:
  - A) Whether the program is validated by the Illinois Podiatry Society Continuing Education Committee;
  - B) Whether the program contributes to the advancement, extension and enhancement of professional clinical skills and scientific knowledge in the practice of podiatry;
  - C) Whether the program provides relevant subject matter that is medically oriented and scientifically sound.

1) Sponsor, as used in this Section, shall mean a person, firm, association, corporation, or any other group which has been approved and



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authorized by the Board and validated by the Illinois Podiatric Medical Association Continuing Education Committee to coordinate and present continuing education courses or programs.

2) A sponsor shall submit a fee of \$500 along with a sponsor application, which certifies:

A) That all courses and programs offered by the sponsor for CE credit will comply with the criteria in subsection (3) and all other criteria in this Section;

B) That the sponsor will be responsible for verifying attendance at each course or program, and provide a certificate of attendance as set forth in subsection (d) below;

C) That upon request by the Department, the sponsor will submit such evidence (e.g., certificate of attendance or course materials) as is necessary to establish compliance with this Section. Such evidence shall be required when the Department has reason to believe that there is not full compliance with the statute and this Part and that this information is necessary to ensure compliance.

3) All courses and programs shall:

A) Contribute to the advancement, extension and enhancement of professional clinical skills and scientific knowledge in the practice of podiatric medicine;

B) Provide experiences which contain scientific integrity, and subject matter and course material relevant to podiatric medicine;

C) Be developed and presented by persons with education and/or experience in the subject matter of the program;

D) Specify the course objectives, course content and teaching methods to be used; and

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E) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for license renewal.

4) All programs given by approved sponsors shall be open to all licensed podiatric physicians and not be limited to members of a single organization or group.

5) Continuing education credit hours used to satisfy the CE requirements of another state jurisdiction may be applied to fulfill the CE requirements of the State of Illinois.

6) Each sponsor shall reapply every 2 years by January 31 of each odd numbered year. The sponsor shall submit to the Department, along with the completed sponsor application and a \$500 fee, a list of courses and programs offered within the last 24 months, which includes a brief description, location, date and time of the course.

7) Certification of attendance. By program sponsor and renewal applicant, it shall be the responsibility of a sponsor to provide each participant in an approved program or course with a certificate of attendance or participation, signed by the sponsor. The sponsor's certificate of attendance shall contain:

A) The name and address of the sponsor;

B) The name and address of the participant;

C) A detailed brief statement of the subject matter;

D) The number of hours attended in each topic program;

E) The date and place of the program; and

F) The signature of the sponsor.

8) The sponsor shall maintain these attendance records for not less than five years.



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9) The sponsor shall be responsible for assuring that no renewal applicant shall receive CE credit for time not actually spent attending the program.

10) Upon the failure of any sponsor to comply with any of the foregoing requirements, the Department, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 1110), shall thereafter refuse to accept for CE credit attendance at or participation in any of such sponsor's CE activities until such time as the Department receives assurances of compliance with this Section.

11) Notwithstanding any other provision of this Section, the Department or Board may evaluate any sponsor of any approved continuing education program at any time to ensure compliance with the requirements of this Section.

## ed) Certification of Compliance with CE Requirements

1) Each renewal applicant shall certify, on his renewal application, to full compliance with the CE requirements set forth in subsection (a) and (b), above.

2) The Department may require additional evidence demonstrating compliance with the CE requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of such compliance. Such additional evidence will be required in the context of the Department's random audit.

3) Proof of compliance with CE Requirements when there appears to be a lack of compliance with CE requirements, an applicant will be notified and may request an interview with the Pediatric Examining Committee Board.

e) Continuing Education Earned in Other Jurisdictions. If a renewal applicant will be earning or has earned CE hours in another jurisdiction, but is not licensed in that jurisdiction and the course is not presented by an approved sponsor, the applicant shall submit an individual program approval request form, along with a \$20 processing fee, to have the program reviewed. The Board shall review and

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recommend approval or disapproval of the program using the criteria set forth in subsection (c)(5) of this Section. Applicants may seek individual program approval prior to the participation in the course or program. All individual program approval requests shall be submitted prior to the expiration date of the license.

f) Reinstatement Restoration of Nonrenewed License. Upon satisfactory evidence of compliance with CE requirements, the Department shall reinstate restore the license upon payment of the required fee as provided in Section 18(A)(4) of the Act.

## g) Waiver of CE Requirements

1) Any renewal applicant seeking a waiver in whole or part for reason of extreme hardship of these CE requirements shall file with the Department a renewal application, a sworn statement setting forth the facts concerning his inability to comply, and a request for waiver in whole or in part of the CE requirements on the basis of such facts. The request shall be reviewed by the Committee at its next quarterly meeting. The renewal applicant will be notified in writing of the date of the review within 30 days of receipt of the request for a waiver. Within 30 days of the review the renewal applicant will be notified in writing of the Committee's recommendation and the Department's decision. If the Department, upon the written recommendation of the Committee, finds from such statement or any other evidence submitted that good cause has been shown for granting a waiver, the Department shall waive in whole or in part enforcement of such requirements for the renewal period for which the applicant has applied. At that time the renewal applicant will be requested to submit the required renewal fee.

1) Any renewal applicant seeking renewal of his license without having fully complied with these CE requirements shall file with the Department a renewal application along with the required fee set forth in Section 18(3) of the Act, a statement setting forth the facts concerning such non-compliance, and



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request for waiver of the CE requirements on the basis of such facts. Such request for waiver shall be made prior to the renewal date. If the Department, upon the written recommendation of the Board, finds from such affidavit or any other evidence submitted, that extreme hardship has been shown for granting a waiver, the Department shall waive enforcement of such requirements for the renewal period for which the applicant has applied.

2) Extreme hardship shall be determined on an individual basis by the Committee and be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:

- A) Full-time service in the armed forces of the United States of America during a substantial part of such period;
- B) an incapacitating illness documented by a statement from a currently licensed physician;
- C) a physical inability to travel to the sites of approved programs documented by a currently licensed physician; or
- D) any other similar extenuating circumstances.

3) Any renewal applicant who has requested a waiver in whole or in part, of the continuing education requirements and whose application for such waiver has been denied by the Department may request an interview before the Pediatric Examining Committee to further explain the justification for the waiver sought. The applicant must submit his request for an interview before the Committee in writing, within twenty-one days after receiving notice from the Department that his request for a waiver has been denied. The renewal applicant requesting such waiver shall be given at least 20 days written notice of the date, time and place of such interview by certified mail, return receipt requested.

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4) If a renewal applicant notifies the Department prior to the date of the interview of his or his designated representative's inability to appear for the interview because of physical incapacity, the applicant shall be scheduled for another time. However, if the renewal applicant or his designated representative does not appear for the interview, the Committee will act upon the waiver request and the renewal applicant will be deemed to have forfeited his opportunity for an interview.

5) A renewal applicant whose waiver request is considered by the Committee pursuant to the provisions of 3) or 4) above will be notified in writing of the Committee's recommendation and the Department's decision within 30 days of the Committee meeting.

63) Any renewal applicant who, prior to the expiration date of his license, submits a request for a waiver, in whole or in part, pursuant to the provisions of this Section shall be deemed to be in good standing until the final Department's decision on the application has been made.

(Source: Amended at 13 Ill. Reg. 4234, effective March 21, 1989)

## Section 1360.75 Visiting Professor Permits

a) Any person not licensed in this state to practice as a podiatric medical physician who has been appointed as a visiting professor at a program of podiatric medicine in this State must be the holder of a Visiting Professor Permit issued by the Department pursuant to the provisions of Section 12 of the Act.

b) An application for a Visiting Professor Permit shall be made on forms provided by the Department. Such application shall include:

- 1) The name and location of the applicant's program of podiatric medicine, dates of attendance, date and type of degree conferred;
- 2) Certification from the jurisdiction of original licensure indicating:



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mail by registered mail to the Department the Visiting Professor Permit and written notice of the reason for the return of the permit.

- A) The date of licensure;
- B) The method of licensure; and
- C) The current status of the license.

f) Only one Visiting Professor Permit shall be issued to an applicant, which may be renewed once. If at the conclusion of the term of the faculty appointment for which the permit was issued, the holder of such permit desires to remain in the State and practice or teach his profession, he must apply for and receive a license to practice that profession.

3) Certification from the Dean of the program of podiatric medicine indicating:

- A) That the person has contracted with the applicant and he has received a faculty appointment to teach in the program.
- B) The nature of the educational services to be provided by the applicant; and
- C) The term of the contract.

g) Whenever a program of podiatric medicine is required to deliver or return a Visiting Professor Permit to the Department and that permit has been lost or destroyed or is for any other reason unavailable for return to the Department, the program of podiatric medicine shall immediately mail or deliver to the Department a written explanation concerning the inability to return the permit.

4) A copy of the applicant's current curriculum vitae; and

5) The fee of \$100.

h) Nothing herein shall prohibit the holder of a Visiting Professor Permit from applying for and receiving a license to practice his profession in this State during the term of his faculty appointment. In the event the holder of such permit is issued a license to practice his profession in this State, upon receipt of the license, the permit shall become null and void and shall be returned to the Department pursuant to the provisions of subsection (e) above.

- c) A Visiting Professor Permit shall be valid for one (1) year and may be renewed only once for one year.
- d) Application for renewal of a Visiting Professor Permit shall be made on forms supplied by the Department at least sixty (60) days prior to expiration of the permit. Such application shall include:

- 1) Certification from the Dean of the program of podiatric medicine indicating the term of the renewal contract, not to exceed one year from the date of the original expiration date;
- 2) Certification from the jurisdiction of original licensure indicating the current status of the license; and
- 3) The fee of \$100.

(Source: Added at 13 Ill. Reg. 4234, effective March 21, 1989.)

Section 1360.80 Definition of "Human Foot" (Repealed)

The term "human foot" for the purposes of the Act includes the ankle and soft tissue which inserts in the foot as well as the feet.

(Source: Repealed at 13 Ill. Reg. 4234, effective March 21, 1989.)

Section 1360.85 Advertising

- a) Persons licensed to practice podiatric medicine in the State of Illinois may advertise in any medium or



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other form of public communication in a manner which is truthful and which is not fraudulent, deceptive, inherently misleading or proven to be misleading in practice. Such advertising shall contain all information necessary to make the communication not misleading and shall not contain any false or misleading statement or otherwise operate to deceive. The form of such communication shall be designed to communicate the information contained therein to the public in a direct, dignified and readily comprehensive manner.

b) Information which may be contained in such advertising shall include one or more of the following:

- 1) Registrant's employer, partnership or individual name, address, office hours, and telephone number;
- 2) Schools attended and degrees awarded;
- 3) Announcement of the opening of, change of, or return to practice;
- 4) Announcement of additions to or deletions from professional staff;
- 5) Registrant's hospital affiliation(s);
- 6) The designation of a Specialist, Areas of specialization, including Board certification (the area of certification and the identity of the Board must be specified), professional society memberships and any limitations or concentration of practice;
- 7) Credit arrangements and/or acceptance of Medicare/Medicaid patients;
- 8) Foreign language ability;
- 9) Usual and customary fees for routine professional services which must include a statement that fees may be adjusted due to complications or unforeseen circumstances;
- 10) Description of offices in which registrant practices, e.g., accessibility to the

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handicapped, laboratory facilities on the premises, convenience of parking, and;

11) Other information about the registrant, the registrant's practice or the types of practice in which the registrant will accept employment, in which a reasonable person might regard as relevant in determining whether to seek the registrant's services.

e) If an advertisement is communicated to the public over television or radio, it shall be prerecorded and approved for broadcast by the registrant, and a recording of the actual transmission, including videotape, shall be retained by the registrant for a minimum of five years.

d) Information which may be untruthful, fraudulent, deceptive, inherently misleading in practice includes that which:

- 1) Contains a misrepresentation of fact or omits a material fact required to prevent deception;
- 2) Guarantees favorable results or creates false or unjustified expectations of favorable results;
- 3) Takes advantage of the potential client's fear, anxieties, vanities, or other emotions;
- 4) Contains testimonials and/or exaggerations pertaining to the quality of podiatric care;
- 5) Describes as available products or services which are not permitted by the laws of this State and/or applicable Federal laws; and
- 6) Advertises professional services which the registrant is not licensed to render.

a) If an advertisement is communicated to the public over television or radio, it shall be prerecorded and approved for broadcast by the podiatric physician, and a recording of the actual transmission, including videotape, shall be retained for at least 3 years by the podiatric physician.



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b) A podiatric physician may incorporate as a professional service corporation in accordance with the Professional Service Corporation Act (Ill. Rev. Stat. 1987, ch. 32, par. 415-1 et seq.) under a fictitious or an assumed name; however, all advertisements for podiatric services to be performed by members or employees of the corporation must comply with the following:

1) A podiatric physician licensed and practicing in Illinois shall be designated at each practice location for the corporation and shall assume responsibility for all advertising in Illinois.

2) The name, office address and office phone number of the designated podiatric physician shall appear in all advertising for the corporation.

3) The name(s) of the owner(s) of the corporation, if other than the designated podiatric physician(s), shall appear in all advertising for the corporation.

4) A list of all podiatric physicians employed by the corporation who perform podiatric services shall be prominently displayed at the location where they practice.

5) Any advertisement which contains the name(s) of podiatric physician(s) employed by the corporation shall include at least one of the following terms to describe each podiatric physician's licensure: podiatric physician, doctor of podiatric medicine, podiatrist, foot specialist or chiropodist.

c) A podiatric physician not incorporated in accordance with the Professional Service Corporation Act (Ill. Rev. Stat. 1987, ch. 32, pars. 415-1 et seq.) shall identify himself by the use of the name in which his license to practice was issued and shall include at least one of the following terms to describe his licensure: podiatric physician, doctor of podiatric medicine, podiatrist, foot specialist or chiropodist. This name and designation shall appear

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in all forms of advertising, in whatever medium conveyed.

d) In addition to the above requirements, a podiatric physician shall comply with advertising requirements set forth in Section 21 of the Act.

(Source: Amended at 13 Ill. Reg. 4234, effective March 21, 1989)

## Section 1360.90 Granting Variances

a) The Director may grant variances from these rules in individual cases where he finds that:

1) the provision from which the variance is granted is not statutorily mandated;

2) no party will be injured by the granting of the variance; and

3) the rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.

b) The Director shall notify the podiatric examining committee podiatric Medical Licensing Board of the granting of such variance, and the reasons therefor, at the next meeting of the committee Board.

(Source: Amended at 13 Ill. Reg. 4234, effective March 21, 1989)



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## Section 1360.APPENDIX A Curriculum Requirements (Repealed)

The following subjects must be contained in the curriculum of an approved college of pediatric medicine:

## Epidemiology and Biostatistics

## Anatomic Sciences

Cell Structure, Embryology,

Gross Anatomy, Histology,

Anatomy of the Lower Extremity

## Chemistry, Biochemistry and Physiology

## Diagnostic Procedures

History and Physical Examination,

Clinical Laboratory Procedures,

Reentgenologic Procedures

## Systems

Integumentary

Musculoskeletal

Nervous and Vascular

## Community Health

## Microbiology

## Pathology

General Systemic, Pediatric

## Therapeutic Procedures

Pharmacology, Physical

Orthotic and Prosthetic

Surgical

## Dermatology

## Clinical

Clinical practice conferences and seminars including the Clinical Training Requirements in Appendix B of this Part

(Source: Repealed at 13 Ill. Reg. 4234, effective March 21, 1989)

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## Section 1360.APPENDIX B Clinical Training Requirements (Repealed)

After September-17, 1982, each student in an approved college of pediatric medicine shall be required as a minimum to successfully complete the following clinical training experiences:

## A. PEDIATRIC ORTHOPEDICS

- (1) diagnosing mechanical, physical and neurogenic orthopedic foot problems;
- (2) Performing a complete biomechanical examination of the lower extremities;
- (3) Correlating biomechanical evaluation to a diagnosis;
- (4) Developing an orthopedic treatment plan;
- (5) Making positive and negative casts for functional, accommodative and digital orthotic devices;
- (6) Evaluating, making, adjusting and modifying functional and accommodative devices;
- (7) Evaluating and applying adhesive strappings to the foot and ankle for prophylaxis, correction or immobilization;
- (8) Evaluating and applying orthopedic padding to the feet;
- (9) Evaluating and applying removable and affixed shields, digital orthotics and protective devices;
- (10) Evaluating and applying orthopedic padding in shoes;
- (11) Applying a below the knee cast and removal thereof;
- (12) Applying a forefoot cast;
- (13) Using exercise, physical therapy and massage for pediatric rehabilitation therapy;
- (14) prophylaxis, diagnosis and treatment of sports related problems;
- (15) Using sports orthotic devices;



**Podiatric Surgery**

- (16) Modification of sports shoes.
- (17) Diagnosis and treatment of podopediatric problems.
- (18) Using leg braces, splints, bars and shoes for podiatric rehabilitation therapy.
- (19) Care of fractures of the bones of the foot.

**Podiatric Surgery**

Each student shall be exposed at a minimum to the procedures listed below in each category.

**I- Techniques**

- A- Suturing (deep and skin) and suture removal.
- B- Incision and drainage.
- C- Use of internal and external wire fixation techniques.
- D- Skin Graft Techniques.
- E- Bone Graft Techniques.
- F- Tendon Transfer Techniques.

**II- Soft Tissue Procedures**

- A- Excision of simple soft tissue lesions (verruca, nevus, cysts, including tenosynovitis).
- B- Neuroma excision.
- C- Tendon lengthening procedures of forefoot.

**III- Tenatal Procedures**

- A- Partial onychectomy. (Surgical-chemical)
- B- Total onychectomy. (Sharp dissection-chemical)

**IV- Digital Procedures**

- A- Partial phalangectomy.
- B- Digital diaphysectomy.
- C- Total phalangectomy.
- D- Arthrodesis of interphalangeal joint with fixation.
- E- Onychectomy Digital.

**V- Metatarsal Procedures**

- A- Sesamoiditis.
- B- Metatarsal osteotomies.

**VI- Bunion Procedures**

- A- Soft tissue
- B- Osteotomies
- C- Arthroplasty with or without implants

**VII- Rear Foot Procedures**

- A- Correction of Haglund's Deformity.
- B- Correction of Heel Spur.
- C- Major Rearfoot Joint Arthrodesis.

**VIII- Treatment of Fractures**

**Podiatric Medicine**

- 1- Debridement of basic foot excrescences and nail conditions.
- 2- Accommodative shielding of plantar and digital keratosis.
- 3- Treatment of traumatic lesions caused by physical and chemical agents to the foot.
- 4- Treatment of wounds, ulcers and superficial injuries to the foot.
- 5- Treatment of infections and infestations of the foot, skin and nails.
- 6- Recognition of systemic diseases and disorders of the foot.
- 7- Prescribing and administering pharmaceutical agents.
- 8- The use of drugs, topically, orally or parentally in the treatment of foot conditions.
- 9- Methodology, purpose and interpretation of clinical laboratory examination.
- 10- Preoperative, transoperative and postoperative uses of local and knowledge about general anesthetic agents.



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- 11- Recognition and treatment of reaction to local anesthetics.
- 12- Using equipment and materials in making roentgenograms.
- 13- Using x-ray protection and safety standard techniques.
- 14- Interpretation of normal pathological physiological and biomechanical conditions in standard and pediatric x-rays for both adults and pediatric patients.
- 15- Positioning of the patient for general and pediatric specialized x-ray views of the foot and ankle.
- 16- Patient record keeping.

(Source: Repealed at 13 Ill. Reg. 4234, effective March 21, 1989)

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- 1) The Heading of the Part: CHILD SUPPORT ENFORCEMENT
- 2) Code Citation: 89 Ill. Adm. Code 160
- 3) Section Numbers: Adopted Action:  
160.1 New Section  
160.70 Amendment
- 4) Statutory Authority:  
89 Ill. Adm. Code 160.1

Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-13) and Section 6.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1006.02)

89 Ill. Adm. Code 160.70

Sections 10-17.3 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 10-17.3 and 12-13)

- 5) Effective Date of Amendment: March 21, 1989

- 6) Does this rulemaking contain an automatic repeal date?  
Yes \_\_\_\_\_ No ☒

- 7) Does this amendment contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: March 21, 1989

- 9) Notice of Proposal Published in Illinois Register:

89 Ill. Adm. Code 160.1

December 23, 1988 (12 Ill. Reg. 21039)

89 Ill. Adm. Code 160.70

December 16, 1988 (12 Ill. Reg. 20677)

- 10) Has JCAR issued a Statement of Objections to these amendments? No



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- 11) Difference(s) between proposal and final version: No substantive changes were made to the text of the rules.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will these amendment replace emergency amendments currently in effect?

89 Ill. Adm. Code 160.1

No

89 Ill. Adm. Code 160.70

Yes

- 14) Are there any amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
160.5	New Section	February 3, 1989 (13 Ill. Reg. 1396)
160.10	Amendment	February 3, 1989 (13 Ill. Reg. 1396)
160.100	Amendment	February 3, 1989 (13 Ill. Reg. 1396)
160.110	New Section	February 3, 1989 (13 Ill. Reg. 1396)
160.120	New Section	February 3, 1989 (13 Ill. Reg. 1396)
160.130	New Section	February 3, 1989 (13 Ill. Reg. 1396)
160.140	New Section	February 3, 1989 (13 Ill. Reg. 1396)
160.150	New Section	February 3, 1989 (13 Ill. Reg. 1396)

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Section Numbers	Proposed Action	Illinois Register Citation
160.160	New Section	February 3, 1989 (13 Ill. Reg. 1396)

- 15) Summary and Purpose of Amendments:

89 Ill. Adm. Code 160.1

This new Section explains how incorporation by reference applies to 89 Ill. Adm. Code 160. Under this rule, rules and regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference are incorporated as of the date specified, and later amendments or editions are not included.

89 Ill. Adm. Code 160.70

The Department is modifying its rule on interception of tax refunds as a means of collecting unpaid child support to reflect its current practice of staying the submittal of the past-due amount of child support to the Internal Revenue Service for the interception of the absent parent's Federal tax refund if the absent parent timely requests a redetermination of his or her account.

- 16) Information and questions regarding this Adopted Amendments shall be directed to:

Name: Anita Williams, Staff Attorney  
Office of the General Counsel

Address: Illinois Department of Public Aid  
Jesse B. Harris II Building  
100 South Grand Avenue East, 3rd Floor  
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendments begins on the next page:



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TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER f: COLLECTIONS

## PART 160

## CHILD SUPPORT ENFORCEMENT

## SUBPART A: CHILD SUPPORT ENFORCEMENT

## Section

160.1 Incorporation By Reference  
160.10 Child Support Enforcement Program  
160.20 Assignment of Rights to Support

## SUBPART B: COOPERATION WITH CHILD SUPPORT ENFORCEMENT

## Section

160.30 Cooperation With Support Enforcement Program  
160.35 Good Cause For Failure to Cooperate With Support Enforcement  
160.40 Proof of Good Cause For Failure to Cooperate With Support Enforcement  
160.45 Suspension of Child Support Enforcement Upon Finding of Good Cause

## SUBPART C: ESTABLISHMENT AND MODIFICATION OF CHILD SUPPORT ORDERS

## Section

160.60 Establishment and Modification of Support Obligations

## SUBPART D: ENFORCEMENT OF CHILD SUPPORT ORDERS

## Section

160.70 Enforcement of Support Orders  
160.75 Withholding of Income to Secure Payment of Support  
160.80 Amnesty - 20% Charge

## SUBPART E: EARMARKING CHILD SUPPORT PAYMENTS

## Section

160.90 Earmarking Child Support Payments

AUTHORITY: Implementing and authorized by Sections 4-1.7, Article X, 12-4.3, and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 4-1.7, 10-1 et seq., 12-4.37 and 12-13 and ~~and 12-13~~).

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SOURCE: Recodified from 89 Ill. Adm. Code 112.78 through 112.86 and 112.88 at 10 Ill. Reg. 11928; amended at 10 Ill. Reg. 19990, effective November 14, 1986; emergency amendment at 11 Ill. Reg. 4800, effective March 5, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9129, effective April 30, 1987; amended at 11 Ill. Reg. 15208, effective August 31, 1987; emergency amendment at 11 Ill. Reg. 1563, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 18185, effective May 16, 1988; amended at 12 Ill. Reg. 20835, effective December 2, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 22278, effective January 1, 1989; amended at 13 Ill. Reg. 4268, effective March 21, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

## SUBPART A: CHILD SUPPORT ENFORCEMENT

Section 160.1 Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference in this Part are incorporated as of the date specified, and do not include any later amendments or editions.

(Source: Added at 13 Ill. Reg. 4268, effective March 21, 1989)

## SUBPART D: ENFORCEMENT OF CHILD SUPPORT ORDERS

## Section 160.70 Enforcement of Support Orders

## a) Definitions

The definitions contained in Section 160.60(a) are incorporated herein by reference.

## b) Income Withholding

Whether using the administrative process (see Section 160.60(d)) or the judicial process (see Section 160.60(e)), the Department shall follow the procedures for withholding of income contained in Section 160.75 to enforce and collect past-due support owed by responsible relatives in IV-D cases and it shall as promptly as possible distribute all amounts



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## Section 160.70 Enforcement of Support Orders (cont'd)

collected. In addition to income as defined in Section 160.75, the Department shall proceed to collect support from the principal and income of trusts as provided by Section 2-1403 of the Code of Civil Procedure (Ill. Rev. Stat. 1985 1987, ch. 110, par. 2-1403) as amended by P.A. 85-2187 effective August 23, 1987).

c) Federal and State Income Tax Refunds and Other State Payments

- 1) The Department shall collect past-due support owed by responsible relatives in IV-D cases through intercept of federal and State income tax refunds and other State payments (see Section 10.05a of the State Comptroller Act (Ill. Rev. Stat. 1985 1987, ch. 15, par. 210.05a) due such relatives.

- 2) The Department shall submit past-due support amounts to:

A) the Department of Health and Human Services to intercept federal income tax refunds in accordance with federal instructions as follows:

- i) in IV-D AFDC and IV-D foster care cases, past-due support owed for a child or for a child and the parent with whom the child is living in an amount not less than \$150 which has been in arrears for 3 months or longer; and
  - ii) in IV-D Non-AFDC cases, past-due support owed to or for a minor child in an amount not less than \$500.
- B) the Comptroller to intercept State income tax refunds and other State payments as follows:
- i) in active IV-D cases, past-due support owed in an amount not less than one

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month's support obligation or \$150, whichever is less; and

- ii) in inactive IV-D AFDC and IV-D foster care cases, past due support owed in any amount.

- iii) In cases in which the responsible relative who owes past-due support is receiving periodic payments from this State because of employment, disability, retirement or any other reason, the Department shall, upon obtaining knowledge of such circumstances, refund any amounts inadvertently intercepted to the responsible relative and proceed to collect past-due support pursuant to the income withholding provisions of the support statutes.

- 3) The Department shall provide the responsible relative with a notice prior to submitting a past-due support amount for intercept, which advance notice shall inform the responsible relative of the following:

- A) the IV-D case name and identification number;
- B) the past-due support amount which will be submitted for intercept;
- C) the right to contest the determination that past-due support is owed or the amount of past-due support by requesting:
  - i) a redetermination by the Department or, after such redetermination,
  - ii) an administrative review by any other state in which the support order was issued upon which the referral for federal income tax refund intercept is based, at the request of the responsible relative; and



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## Section 160.70 Enforcement of Support Orders (cont'd)

- D) that the Internal Revenue Service will notify the responsible relative's spouse at the time of intercept regarding the steps to take to protect the share of the refund which may be payable to that spouse, in the case of a joint federal income tax return.
- 4) A request for a redetermination made within 30 days from the date of mailing of the advance notice shall stay the Department from submitting the past-due amount ~~to the Comptroller~~.
- 5) No later than 120 days after the date the redetermination was requested, the Department shall provide the responsible relative with a notice of the results of the redetermination and of the right to contest such results by requesting:
- A) a hearing by the Department within 30 days from the date of mailing of the notice; or
- B) an administrative review by any other state in which the support order was issued upon which the referral for federal income tax refund intercept is based.
- 6) If a responsible relative requests administrative review by the state in which the support order was issued upon which the referral for federal income tax refund intercept is based, the Department shall notify the state with the order of the request and shall provide that state with all necessary information within 10 days of the responsible relative's request. The Department shall be bound by the decision of the state with the order.
- 7) The Department shall proceed in accordance with 89 Ill. Adm. Code 104.103 upon receipt of a request for a hearing.
- 8) The Department shall notify:
- A) any other state enforcing the support order

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## Section 160.70 Enforcement of Support Orders (cont'd)

- when the request for intercept is submitted and when the intercept amount is received;
- B) the Department of Health and Human Services of any deletion of an amount submitted for federal income tax refund intercept, in accordance with federal instructions;
- C) the Comptroller of any deletion of an amount submitted for State income tax refund or other payment intercept or any significant decrease in the amount; and
- D) the Clerk of Circuit Court of the county in which the child support order was entered of any amount intercepted for posting to the court payment record.
- 9) The Department shall:
- A) as promptly as possible refund to the responsible relative any amount intercepted found to exceed the amount of past-due support owed; and
- B) equitably apportion joint State income tax refunds and other State payments based upon copies of federal and State income tax returns, including all schedules and attachments, or other evidence of ownership, such equitable apportionment to be based on the documented proportionate net income of the parties, and pay to the joint payee that portion of the amount intercepted found to be his; except that the Comptroller shall apportion such refunds and payments in matters where the intercepted funds have not yet been transferred to the Department.
- 10) The Department shall as promptly as possible apply collections it receives as a result of intercept under this subsection only against the past-due support amount specified in the advance notice provided the responsible relative pursuant to subsection (c)(3) above and shall promptly apply:



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## Enforcement of Support Orders (cont'd)

## Section 160.70

## Enforcement of Support Orders (cont'd)

- A) federal income tax refunds first to satisfy any IV-D AFDC or IV-D foster care assigned past-due support and then to satisfy any IV-D Non-AFDC past-due support; and
- B) State income tax refunds and other State payments to satisfy any active IV-D AFDC and IV-D foster care assigned past-due support, or first to satisfy active IV-D Non-AFDC past-due support and then to satisfy any IV-D AFDC and IV-D foster care assigned past-due support.

11) The Department shall inform individuals who receive IV-D Non-AFDC support enforcement services, in advance, of the following:

- A) amounts intercepted under this subsection will be applied in accordance with subsection (c)(9) above;
- B) any payment received by the IV-D Non-AFDC individual as a result of federal income tax refund intercept may have to be returned to the Department within six years following the end of the tax year if there is an adjustment necessitated by the responsible relative's spouse filing an amended tax return in order to receive his share of a joint tax refund.

## d) Unemployment Insurance Benefits

- 1) The Department shall collect support owed by responsible relatives in IV-D cases through intercept of unemployment insurance benefits in matters wherein the relative has accumulated a past-due support amount equal to a one month support obligation.

2) The Department shall take the following action:

- A) ascertain that the responsible relative qualifies for receipt of unemployment insurance benefits through access to the

3) The Department of Employment Security shall take the following action:

- A) provide notice to the responsible relative

B) contact the relative to obtain an agreement for deduction of benefits for payment of support.

C) initiate procedures for withholding of income in accordance with Section 160.75 in cases wherein the relative fails or refuses to agree to benefit deduction.

D) establish the amount to be deducted by data entry to DES's computer file, which amount shall be the lesser of:

- i) the amount of the income withholding order; or
- ii) the amount of the child dependent's allowance, whether or not claimed.

E) receive amounts deducted direct from DES.

F) notify the Clerk of the Circuit Court of the county in which the child support order is registered of each collection for posting to the court payment record.

G) post each collection to the Department's payment record.

H) apply each collection to the current support obligation, then to past-due obligations.

I) provide a redetermination within 180 days from the date of request for redetermination to each relative who disputes the deduction and, where indicated, make adjustments and refund improperly deducted amounts.



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## Section 160.70

## Enforcement of Support Orders (cont'd)

and an opportunity to be heard, when the Department cannot resolve the dispute.

- B) pay all amounts deducted direct to the Department.

e) Contempt of Court and Other Legal Proceedings

- 1) The Department shall refer IV-D cases to its legal representatives to initiate contempt of court and other legal proceedings, pursuant to the applicable provisions of the support statutes, for enforcement of orders for support in matters wherein the responsible relative has accumulated a past-due support amount equal to not less than a one month support obligation; except as set forth in subsection (2) below.

- 2) Contempt proceedings shall not be used in the following instances:

- A) the responsible relative has no known available income or assets from which to satisfy the support obligation and is:

- i) receiving public assistance;
- ii) mentally or physically disabled;
- iii) incarcerated;

- iv) out-of-the-country;

- v) deceased; or

- vi) otherwise situated making such action unproductive.

- B) other legal or administrative remedies are more appropriate under the circumstances.

- 3) Contempt and other legal proceedings shall be used to:

- A) establish the amount of past-due support;

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## Section 160.70

## Enforcement of Support Orders (cont'd)

- B) obtain a judgment for purposes of:

- i) imposition of a lien against real estate,

- ii) levy upon real estate and personal property, or

- iii) registration in another state;

- C) secure an order for lump sum or periodic payment of the past-due support or judgment;

- D) require the responsible relative to post security, bond or give some other guarantee of a character and amount sufficient to assure payment of any amount due under the support order;

- E) obtain full or partial payment of past due support through incarceration;

- F) ascertain the responsible relative's source and amount of income or location and value of assets;

- G) secure other enforcement relief; and

- H) obtain any combination of the above.

- 4) During the course of contempt or other legal proceedings to enforce support, if it shall appear that there is no net income because of the unemployment of the responsible relative, the Department shall request the court to order the relative to report for participation in job search, training or work programs established for such relatives under Section 9-6 of the Illinois Public Aid Code (Ill. Rev. Stat. 1985 1987, ch. 23, par. 9-6, as amended by P.A. 85-1147 effective July 23, 1987).

f) Liens Against Real Estate and Personal Property

- 1) The Department shall seek judgment liens against real estate and enforce judgments upon the real



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## Section 160.70

## Enforcement of Support Orders (cont'd)

estate and personal property of responsible relatives, in IV-D cases in which a referral has been made to initiate court enforcement of an order for support, in accordance with Article XII of the Code of Civil Procedure (Ill. Rev. Stat. 1985 1987, ch. 110, par. 12-101 et seq.).

- 2) A petition for a rule to show cause or other petition filed by a Department legal representative to enforce an order for support shall contain a prayer that judgment be entered against the responsible relative in the amount of the past-due support alleged in the petition, when both of the following circumstances exist:
  - A) the past-due amount equals one year's support obligation under the order for support or \$2,000, whichever is less; and
  - B) the responsible relative has an interest in real estate or personal property against which the judgment may be enforced.

- 3) Upon obtaining a judgment, Department legal representatives shall secure liens against the real estate of responsible relatives by filing a transcript, certified copy, or memorandum of judgment in the county wherein the real estate is located, in accordance with law (see Article XII of the Code of Civil Procedure (Ill. Rev. Stat. 1985 1987, ch. 110, pars. 12-101 et seq.)).

- 4) A judgment shall be enforced by levy upon the real estate and personal property of the responsible relative in accordance with law (see Article XII of the Code of Civil Procedure (Ill. Rev. Stat. 1985 1987, ch. 110, pars. 12-101 et seq.)) when the relative has a known equity which is not less than \$2,000 in excess of any statutory exemption.

## g) Security, Bond or Other Guarantee of Payment

- 1) Except as provided in subsections (2) and (3) below, the Department shall require, or through its legal representative shall request the court

## DEPARTMENT OF PUBLIC AID

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## Section 160.70

## Enforcement of Support Orders (cont'd)

to require, a responsible relative to post security, bond, or give some other guarantee of a character and amount sufficient to assure payment of any amount due under a support order in IV-D cases, pursuant to Section 10-17.4 of the Illinois Public Aid Code (Ill. Rev. Stat. 1985 1987, ch. 23, par. 10-17.4).

- 2) In cases in which the support obligation is established through the administrative process contained in Section 160.60, the notice of support obligation provided to the responsible relative shall indicate that the Department may require the relative to post security, bond or give some other guarantee of payment. Except where the responsible relative is subject to income withholding, the administrative support order shall contain this requirement in an amount equal to a one year support obligation.

- 3) In acting upon a referral to establish a support obligation or to enforce an existing order for support, Department legal representatives shall include in the complaint or petition a prayer for an order requiring the responsible relative to post security, bond, or give some other guarantee of payment equal to a one year support obligation, unless the relative is subject to the income withholding provisions of the support statutes.

## h) Past-Due Support Information to Consumer Reporting Agencies

- 1) The Department shall, upon request of consumer reporting agencies, provide the following information concerning the payment records of responsible relatives in IV-D cases to such agencies when the amount of past-due support exceeds \$1,000:

- A) the name, last known address and Social Security Number of the responsible relative; and



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Section 160.70 Enforcement of Support Orders (cont'd)

- B) the terms and amount of past-due support which has accumulated under the order for support.
- 2) The Department shall provide the responsible relative with a notice at least 30 days prior to furnishing past-due support information to consumer reporting agencies, which advance notice shall inform the relative of the following:
  - A) the IV-D case name and identification number;
  - B) the past-due support amount which will be reported;
  - C) the date past-due support will be reported; and
  - D) the right to prevent reporting by payment of the past-due support amount in full or to contest the determination that past-due support is owed or the amount of past-due support by requesting a redetermination by the Department.

3) The Department shall provide the responsible relative with notice of the results of the redetermination and the right to prevent reporting by payment in full of the past-due support found to be owed or to contest the results of the redetermination by requesting a hearing within 30 days from the date of mailing of the notice.

4) The Department shall proceed in accordance with 89 Ill. Adm. Code 104.103 upon receipt of a request for a hearing.

5) The Department shall be stayed from providing information to consumer reporting agencies by either of the following:

- A) a request for
  - i) a redetermination, or

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Section 160.70 Enforcement of Support Orders (cont'd)

- ii) a hearing contesting the determination that past-due support is owed or the amount of past-due support; or
  - B) payment in full of the amount of the past-due support stated in the
    - i) advance notice, or
    - ii) notice of redetermination or hearing results.
- 6) The Department shall advise consumer reporting agencies of changes in the amount of past-due support found to be owed as a result of a redetermination or hearing conducted after report to such agencies.

i) Other Remedies

The Department shall pursue any other remedies provided for by law to enforce and collect past-due support owed by responsible relatives in IV-D cases.

(Source: Amended at 13 Ill. Reg. 4268, effective March 21, 1989)



## DEPARTMENT OF PUBLIC HEALTH

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## NOTICE OF ADOPTED AMENDMENTS

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1) Heading of the Part:

Clinical Laboratories and Blood Banks

If "yes," please complete the following:

2) Code Citation:

77 Ill. Adm. Code 450

3) Section Numbers:450.440  
450.450  
450.1300  
450.1310  
450.1320  
450.1330Adopted Action:New Section  
New Section  
New Section  
New Section  
New Section4) Statutory Authority:Illinois Clinical Laboratory Act  
111. Rev. Stat. 1987, ch. 111 1/2, par. 621-101 et seq. as amended by  
Public Act 85-1251, effective August 30, 1988.5) Effective Date of Rules:

March 21, 1989

6) Does this Rulemaking Contain an Automatic Repeal Date? Yes      No X

If "yes," please specify date:

7) Does this Rulemaking Contain Any Incorporations by Reference? Yes      No XIf "yes," please specify type: 6.02(a)      or 6.02(b)     If "6.02(b)," was a copy of the approval form issued by the Joint  
Committee attached to this rulemaking? Yes      No     3) Date Filed in Agency's Principal Office:

March 21, 1989

9) Date Notice(s) of Proposal was Published in Illinois Register:

12 Ill. Reg. 19327 - November 18, 1988

10) Has the Joint Committee on Administrative Rules issued a Statement of  
Objections to this/these Rules? Yes      No X11) Difference Between Proposal and Final Version:The following changes were made in response to comments received during  
the first notice or public comment period:

1. In Section 450.1320, the Department added the following subsection  
(k): "The Department will process applications within 60 days of  
receipt."

The following changes were made in response to comments and suggestions of  
the Joint Committee on Administrative Rules:

1. In Section 450.1320, the Department the term "OF" between the terms  
"DIRECTLY" and "INDIRECTLY" to "OR."
2. In Section 450.1320(f) and (g), the Department added "(s)" to the end  
of the word "name."

In addition, various typographical, grammatical and form changes were made  
in response to the comments from the Administrative Code Division and the  
Joint Committee on Administrative Rules.

- 12) Have all the changes agreed upon by the Agency and the Joint Committee  
been made as indicated in the agreement letter issued by the Joint  
Committee?

The Department has made all the changes to which it agreed with the Joint  
Committee.

- 13) Will the Rules Replace an Emergency Rule Currently in Effect?

Yes X No     

- 14) Are there any other Amendments Pending on this Part? Yes X No

If Yes:



Section Numbers	Proposed Action	Ill. Reg. Citation
450.05	New Section	13 Ill. Reg. 2249
450.10, 450.20, 450.30	Amendments	13 Ill. Reg. 2249
450.35, 450.40, 450.50	New Sections	13 Ill. Reg. 2249
450.210, 450.220, 450.230	Amendments	13 Ill. Reg. 2249
450.310, 450.320, 450.330	Amendments	13 Ill. Reg. 2249
450.410, 450.420, 450.430	Amendments	13 Ill. Reg. 2249
450.440, 450.450, 450.510	Amendments	13 Ill. Reg. 2249
450.520	Amendments	13 Ill. Reg. 2249
450.530, 450.540, 450.550	Repealer	13 Ill. Reg. 2249
450.560, 450.570	Repealer	13 Ill. Reg. 2249
450.610, 450.710, 450.720	Amendments	13 Ill. Reg. 2249
450.730	Amendments	13 Ill. Reg. 2249
450.810, 450.820, 450.830	Repealer	13 Ill. Reg. 2249
450.835, 450.835, 450.840	Repealer	13 Ill. Reg. 2249
450.845, 450.848, 450.850	Repealer	13 Ill. Reg. 2249
450.860, 450.870	Repealer	13 Ill. Reg. 2249
450.920, 450.930, 450.940	Amendments	13 Ill. Reg. 2249
450.950, 450.1010, 450.1110	Amendments	13 Ill. Reg. 2249
450.1120, 450.1130, 450.1140	Amendments	13 Ill. Reg. 2249
450.1150, 450.1155, 450.1200	Amendments	13 Ill. Reg. 2249
450.1300, 450.1310, 450.1320	New Sections	13 Ill. Reg. 2249
450.1330, Appendix A	New Sections	13 Ill. Reg. 2249
Appendix B	New Sections	13 Ill. Reg. 2249

15) Summary and Purpose of Rules:

This rulemaking specifies what laboratory tests are considered health screening tests, what entities can perform health screening activities, and how health screening activities are to be conducted.

The Department has solicited and received numerous recommendations concerning what laboratory tests should be listed as health screening tests. After a review of all recommendations and the recent legislation, the Department has decided upon the following approach.

In response to HB 3911 and HB 3303, the Department proposes to adopt only two specific exclusive lists of tests: (1) a list of tests for health screening, which is included in this rulemaking and (2) a list of tests for the registration class which the Department anticipates proposing in February of 1989 under HB 3303. All remaining tests would be either "simple" or "complex" under the provisions of HB 3303. The lists of tests would be as follows:

A "HEALTH SCREENING" test "MEANS THE PERFORMANCE OF ANY OF THE DEPARTMENT LISTED TESTS FOR THE PURPOSE OF ASSESSING A PHASE OF THE GENERAL STATE OF HEALTH OF HUMAN SUBJECTS" in the context of an off-site health screening event such as a health fair. Tests designed as health screening tests may be conducted at the principal location of the laboratory without the protocol required by these rules.

- A. Health Screening Test list pursuant HB 3911 - Public Act 85-1251, effective August 30, 1988.
1. Blood total cholesterol testing by finger stick method, and
  2. Blood glucose testing by finger stick method.
- B. DRAFT registration class tests pursuant to HB 3303 - Public Act 85-1025, effective June 30, 1988 are listed in proposed amendments to 77 Ill. Adm. Code 450 in the February 24, 1989 issue of the Illinois Register.

Under the existing clinical laboratory rules (77 Ill. Adm. Code 450.30(b)(7)) and until new rules pursuant to HB 3303 are adopted circa July 1, 1989, local health department laboratories are exempt from licensure in the following situation:

PUBLIC HEALTH LABORATORIES WHICH MEET THE PROVISIONS OF SECTION 1-103(e) OF THE ILLINOIS CLINICAL LABORATORY ACT AND WHICH RESTRICT THEIR CLINICAL LABORATORY TESTING TO THE FOLLOWING: SMEARS AND CULTURES FOR NEISSERIA GONORRHEAE, WET MOUNTS FOR YEAST OR TRICHOMONAS, SYPHILIS SEROLOGY, SEMI/QUANTITATIVE CHORIONIC GONADOTROPIN, GLUCOSE, URINALYSIS (LIMITED TO DIP-STICK AND MICROSCOPIC FOR RED AND WHITE CELLS), HEMATOOCRIT, HEMOGLOBIN, AND RBC SICKLE CELL SCREENING.

Pursuant to HB 3911 and emergency rules to be adopted circa October 28, 1988, local health departments will also be able to conduct health screenings without a license or permit if done on a not for profit or free of charge basis. The health screening tests can be in addition to those tests presently permissible without a license.

Both the present rules and the health screening rules will be combined and explained further in future amendments pursuant to HB 3303 which are listed in proposed amendments to 77 Ill. Adm. Code 450 in the February 24, 1989 issue of the Illinois Register.

16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Mr. Robert John Kane, Division of Governmental Affairs, Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761, 217/782-6187.

The full text of the Adopted Amendments begins on the next page:



## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER d: LABORATORIES AND BLOOD BANKS

PART 450  
CLINICAL LABORATORIES AND BLOOD BANKS

## SUBPART A: GENERAL

Section  
450.210 Definitions  
450.220 Laboratories and Blood Banks  
450.30 Laboratories required to be licensed

## SUBPART B: DIRECTORS OF CLINICAL LABORATORIES

Section  
450.210 Qualification of the Director of a Clinical Laboratory  
450.220 Operational Participation of the Director  
450.230 Number of Laboratories Permitted to Operate

## SUBPART C: LOCATION, CONSTRUCTION AND SANITATION

Section  
450.310 Location  
450.320 Conformance to local ordinances  
450.330 Safety and Sanitation Requirements

SUBPART D: QUALIFICATIONS OF PERSONNEL HAVING RESPONSIBILITY FOR  
THE CONDUCT AND OPERATION OF THE LABORATORY

Section  
450.410 Supervisor  
450.420 Medical Technologist  
450.430 Cytotechnologist  
450.440 Technician  
450.450 Laboratory Assistant

## SUBPART E: EQUIPMENT

Section  
450.510 Facilities and Equipment  
450.520 Preventive Maintenance of Equipment and Instruments  
450.530 Glassware  
450.540 Lancets, Needles and Syringes  
450.550 Electrical Equipment  
450.560 Photometric and Spectrophotometric Equipment

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450.570 Analytic balances and Weights

## SUBPART F: OUT OF STATE LABORATORIES

Section  
450.610 Criteria for Licensure

SUBPART G: PROFICIENCY SURVEY PROGRAM AND  
INSPECTION OF FACILITIES

Section  
450.710 Inspections  
450.720 Proficiency Survey Program  
450.730 Western Blot Assay Testing Procedures

## SUBPART H: SPECIAL REQUIREMENTS PERTAINING TO BLOOD BANKS

Section  
450.810 General  
450.820 Applicability of Other Parts of the Regulations  
450.830 Donors and Donor Blood/Criteria for Donor Selection  
450.835 Directed Blood Donations  
450.840 Donors and Donor Blood/Identification of Donor Blood  
450.845 Donors and Donor Blood/Storage and Transportation  
450.848 Preparation of Blood Components  
450.850 Plasmapheresis (or Plateletpheresis)  
450.860 Autologous Transfusion  
450.870 Transfusion Service Records

## SUBPART I: PROHIBITED PRACTICE

Section  
450.910 Prohibition Against Free Trial Tests  
450.920 Terms Not to be Used in Names of Laboratories  
450.930 Prohibitions in Advertising and Announcements  
450.940 Acceptance of Specimens and Reporting of Results  
450.950 Referral of Specimens for Examination to Unlicensed Laboratories

## SUBPART J: RECORDS AND REPORTS

Section  
450.1010 Necessary Records

SUBPART K: QUALITY CONTROL

Section  
450.1110 Responsibilities of Director  
450.1120 Reference Materials



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450.1130 Preventative Corrective Maintenance Program  
 450.1140 Procedure Manuals  
 450.1150 Quality Control System Methodologies

## SUBPART L: HIV CONTAMINATED BLOOD AND HUMAN TISSUE

## Section

450.1200 Handling and Disposal of HIV Contaminated Blood and Human Tissue

## SUBPART M: HEALTH SCREENING

## Section

450.1300 Health Screening and Approved Health Screening Tests  
 450.1310 Protocol for Conducting Health Screening  
 450.1320 Application for a Permit to Conduct Health Screening  
 450.1330 Reporting and Notification

Authority: Implementing and authorized by the Illinois Blood Bank Act (111. Rev. Stat. 1987, ch. 111 1/2, par. 601-101 et seq.), The Blood Labeling Act (111. Rev. Stat. 1987, ch. 111 1/2, par. 620-3.1) and the Illinois Clinical Laboratory Act (111. Rev. Stat. 1987, ch. 111 1/2, par. 621 et seq.).

SOURCE: Amended November 16, 1970; amended at 2 111. Reg., p. 87, effective November 5, 1978; amended at 4 111. Reg. 33, p. 224, 225 and 228, effective August 6, 1980; amended at 6 111. Reg. 4151, effective April 5, 1982; amended at 7 111. Reg. 7643, effective June 14, 1983; codified at 8 111. Reg. 19488; amended at 9 111. Reg. 20709, effective January 3, 1986; emergency amendment at 10 111. Reg. 377, effective January 3, 1986, for a maximum of 150 days, amended at 10 111. Reg. 10712, effective June 3, 1986; amended at 12 111. Reg. 10018, effective May 27, 1988; emergency amendment at 12 111. Reg. 19327, effective October 28, 1988, for a maximum of 150 days; amended at 13 111. Reg. 4285, effective March 21, 1989.

## SUBPART D: QUALIFICATIONS OF PERSONNEL HAVING RESPONSIBILITY FOR THE CONDUCT AND OPERATION OF THE LABORATORY

## Section 450.440 Technician

An individual who meets one of the following qualifications shall qualify as a technician:

- a) Successful completion of 60 semester hours of academic credit including chemistry and biology as well as a structured curriculum in medical laboratory techniques at an accredited institution or has an associate degree based on a course of study including those subjects

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from an accredited institution; or

- b) High school graduate or equivalent and has completed at least 1 year in a technician training program in a school accredited by an accrediting agency approved by the U.S. Office of Education; or
- c) High school graduate or equivalent and has successfully completed an official military medical laboratory procedures course of at least 50 weeks duration and has held the military enlisted occupational specialty of Medical Laboratory Specialist (Laboratory Technician).

(Source: Added at 13 111. Reg. 4285, effective March 21, 1989)

## Section 450.450 Laboratory Assistant

A laboratory assistant is an individual who is employed in a laboratory and meets the education and experience requirements set forth by that laboratory director and who functions only under the direct supervision of a director, supervisor or technologist.

(Source: Added at 13 111. Reg. 4285, effective March 21, 1989).

## SUBPART N: HEALTH SCREENING

## Section 450.1300 Health Screening and Approved Health Screening Tests

- a) "HEALTH SCREENING" MEANS THE PERFORMANCE OF ANY OF THE FOLLOWING TESTS FOR THE PURPOSE OF ASSESSING A PHASE OF THE GENERAL STATE OF HEALTH OF HUMAN SUBJECTS (Section 2-102.1 of the Act):

- 1) Blood total cholesterol testing by finger stick method, and
- 2) Blood glucose testing by finger stick method.

- b) Health screening activities may only be conducted by the following entities:

- 1) LABORATORIES WHICH ONLY PERFORM HEALTH SCREENINGS ON A NOT-FOR-PROFIT OR FREE-OF-CHARGE BASIS. NOT-FOR-PROFIT OR FREE-OF-CHARGE BASIS means screenings performed for a fee calculated to recover the actual cost of the test material and equipment and direct labor costs, excluding any cost associated with test interpretation or other administrative costs or with no direct cost to the recipient;
- 2) LICENSED OR PERMITTED LABORATORIES; and
- 3) Licensed Hospital laboratories which are exempt from regulation



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under the Act and not precluded from such activities under the Hospital Licensing Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 142 et seq.) (Section 2-102.1(a)(3) and (b) of the Act)

- c) ANY ENTITIES WHICH CONDUCT MORE THAN ONE HEALTH SCREENING EVENT PER CALENDAR YEAR SHALL FILE ESTABLISHED PROTOCOLS WITH THE DEPARTMENT IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBPART. A health screening event, as used in this Section, shall mean any day or continuous series of days not exceeding five on which health screening activities are conducted in the same location other than the principal location of the laboratory such as a health fair. Tests listed as health screening tests may be conducted at the principal location of the laboratory without the protocol required by this Subpart. (Section 2-102.1(a)(2) of the Act).

- d) AGENCY NOTE: Health screening tests should not be used as diagnostic tests.

(Source: Added at 13 Ill. Reg. 4285, effective March 21, 1989).

## Section 450.1310 Protocol for Conducting Health Screening

- a) Any entity which performs health screening shall establish a protocol for health screening activities which is APPROVED BY A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN ALL ITS BRANCHES. (Section 2-102.1(a)(1) of the Act)

- b) The protocol for conducting the health screening shall:

- 1) indicate the test(s) to be conducted;
- 2) indicate the way in which results shall be reported to the test subject including any available oral counseling and health professional referral program;
- 3) indicate how confidentiality will be maintained with provisions which allow the testing personnel, test subject and test subject's representative access to the test results;
- 4) include a written quality control program to assure accurate and precise test values as set by the physician signing the protocol and a description of the steps to be taken if the control values fall outside acceptable limits as set by the physician in the written quality control program;
- 5) include the step by step instructions for the following:
  - A) specimen collection, handling, transport, storage and

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disposal;

- B) patient preparation;

- C) type and volume of specimen needed and the established rejection criteria;

- D) proper specimen identification;

- E) proper reagent use, such as labeling, proper lot number usage, expiration dates, and storage requirements, and

- F) instrument operation and calibration in accordance with the manufacturer's instructions.

- 6) Include a detailed procedure for all quantitative methodologies, to be performed at least once each twelve hours, to determine method linearity over the reportable range of values for each analyte and instrument;

- 7) Include directions for the use of one reference material and one calibrator or two reference materials with different concentrations once each 24 hour period in which the analyzer is used;

- 8) Include a description of the training required of all staff conducting specific health screening tests;

- 9) Include a copy of educational materials for each individual screening test given to each test subject;

- 10) be available to all health screening personnel at the test site;

- 11) be sent to the Department at least 30 days prior to the initial testing date if more than one health screening event is conducted by that entity in a calendar year. Such protocols will be effective for one year. An existing protocol may be renewed by submitting a letter from the physician who signed the protocol specifying that no changes have been made in the protocol and that the protocol will be used for health screenings over the next year. This letter must be submitted within 30 days prior to the expiration of the existing protocol;

- 12) be signed, dated, and approved by a physician licensed to practice medicine in all its branches no earlier than three months prior to submission date;

- 13) include, for not-for-profit or free-of-charge operations, a



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statement from the physician who signs the protocol that the education and experience of the staff members are adequate to assure proper specimen collection, specimen handling, instrument operation, quality assurance, record-keeping, reporting of results, and proper sanitary conditions to protect the test subjects and the environment;

- 14) include a copy of the document to be given to each test subject which discloses the purpose and limitations of each individual screening test to be conducted;
- 15) state whether the testing to be conducted will be done on a NOT-FOR-PROFIT OR FREE-OF-CHARGE BASIS or for-profit basis. If the testing is conducted on a NOT-FOR-PROFIT BASIS, then the calculations used to determine the actual cost of the test material and equipment must be included.
- 16) include copies of any forms used in the course of conducting health screening activities;
- 17) indicate how documentation and quality control items are traceable to each individual analyte and instruments used in the health screening process and how records shall be maintained;
- 18) indicate how records of test subject results and documentation of quality control items shall be maintained for two years, and
- 19) document the basis for any fee charged to the recipient indicating whether testing is being done on a for-profit or not-for-profit basis.

(Source: Added at 13 Ill. Reg. 4285, effective March 21, 1989)

Section 450.1320 Application for a Permit to Conduct Health Screening

THE OWNER OF A CLINICAL LABORATORY WHICH IS OPERATED AND MAINTAINED EXCLUSIVELY FOR THE PURPOSE OF CONDUCTING HEALTH SCREENING TESTS BY A PERSON, CORPORATION, ORGANIZATION, ASSOCIATION OR GROUP WHICH PROVIDES HEALTH SCREENING SERVICES IN ACCORDANCE WITH SECTION 2-102.1 of the Act EITHER DIRECTLY OR INDIRECTLY ON A FOR-PROFIT BASIS MUST OBTAIN A PERMIT FROM THE DEPARTMENT. APPLICATION SHALL BE MADE ON A FORM PRESCRIBED BY THE DEPARTMENT. THE APPLICATION SHALL BE ACCOMPANIED BY AN APPLICATION FEE OF \$ 200 FOR EACH SUCH PERMIT. THE APPLICATION SHALL BE UNDER OATH (i.e. signed by the owner or authorized officer and notarized). THE PERMIT SHALL EXPIRE JULY 1, 1989, AND THE APPLICATION SHALL CONTAIN THE FOLLOWING INFORMATION:

- a) THE NAME AND LOCATION OF THE OWNER'S PRINCIPAL PLACE OF BUSINESS;

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- b) THE NAME OF THE OWNER OF SUCH FACILITY AND OF THE DIRECTOR THEREOF;
- c) When the owner is a corporation the names and addresses of all persons owning five percent or more of shares of the corporation;
- d) a completed personnel form for the director(s), the anticipated schedule of hours for the director(s) to be at the laboratory during hours of testing, and other laboratories directed by the director(s);

e) A DESCRIPTION OF THE PROGRAM AND SERVICES PROVIDED BY SUCH CLINICAL LABORATORY;

- f) the name(s) of the laboratory assistant(s) or technician(s) employed and a completed personnel form for each laboratory assistant or technician;

- g) the name(s) of the person(s) who is in charge of the total laboratory operation at the test site and a personnel form(s) for that person;

- h) a statement signed by the director indicating that the person in charge of the total laboratory operation at the test site has the education and training necessary to assure proper specimen collection, specimen handling, instrument operation, recordkeeping, reporting of results to assure confidentiality of test subjects and results, and proper sanitary conditions to protect the test subjects and environment;

- i) an explanation of the location where all equipment and supplies are kept when not at the test site and the location where all records are kept relating to the laboratory operations at the test sites; and

- j) a copy of the physician approved protocol.

- k) The Department will process applications within 60 days of receipt.

(Source: Added at 13 Ill. Reg. 4285, effective March 21, 1989)

Section 450.1330 Reporting and Notification

- a) All health screening entities shall file a protocol with the Department in accordance with Section 450.1310 of this Part.
- b) All health screening entities shall notify the Department of all health screening sites including street address, city, zip code and any other identifying data that are available at least seven days prior to any health screening event.
- c) All health screening entities shall notify the Department of all



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personnel anticipated to conduct any health screening event including name, professions, training background, street address, city, zip code at least seven days prior to any health screening event.

(Source: Added at 13 Ill. Reg. 4285, effective March 21, 1989)

1) Heading of Part: Disability Case Development Process

2) Code Citation: 89 Ill. Adm. Code 843

3) Section Numbers:  
     843.10  
     843.50  
     843.60  
     843.70  
     843.150  
     843.160

Adopted Action:  
     amendment  
     amendment  
     amendment  
     amendment  
     amendment

4) Statutory Authority: Implementing Section 3(a) and authorized by Section 3(k) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, as amended by Public Act 85-1351, ch. 23, pars. 3434(a) and (k)).

5) Effective Date of Amendments: March 15, 1989

6) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒

7) Does this amendment contain incorporations by reference? X Yes ☐ No ☐  
     A copy of the approval form issued by JCAR on November 15, 1988, is attached to this rulemaking.

8) Date Filed in Agency's Principal Office: March 15, 1989

9) Notice of Proposal Published in Register: September 23, 1988 12 Ill. Reg. 15015  
     (issue date)

10) Has JCAR Issued a Statement of Objections to this (these) Rules? No

11) Difference(s) between proposal and final version: Differences between proposed rules and final rules are:

1. In Section 843.10 in the definition of "Medical evidence of record"; "et seq." has been deleted after "DI 22505.025."
2. In Section 843.10, in the definition of "Residual functional capacity", "et seq." has been deleted after "25005.000."
3. In Section 843.50(c), the references to "et seq." in lines 3 and 4 have been deleted.
4. In Section 843.60(b), "January 1986 and" in lines 4 and 5 has been deleted.



NOTICE OF ADOPTED AMENDMENTS

5. In Section 843.150(c), references to "et seq." in lines 5, 6, 7 and 8 have been deleted.
6. In Section 843.150(c) "January 1986 and" in lines 6 and 8 has been deleted.
7. In Section 843.160 "et seq." has been deleted after "27501.000."
8. The citation to the Illinois Revised Statutes has been revised to read: "and authorized by Section 3(k) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, as amended by Public Act 85-1351, ch. 23, pars. 3434(a) and 3434(k))."
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes, all changes agreed upon by the agency and JCAR has been made as indicated in the agreement letter issued by JCAR.

- 13) Will these amendments replace an Emergency Rule(s) currently in effect?  
No

- 14) Are there any other amendments pending on this Part? No

- 15) Summary and purpose of Amendment(s): These amendments clarify the Department's policies and procedures for the Bureau of Disability Determination Services regarding the disability case development process.

- 16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Leigh Reed  
Regulations and Procedures Section  
Department of Rehabilitation Services  
P.O. Box 19429  
Springfield, Illinois 62794-9429  
Telephone number: (217) 785-3896  
T.D.D.: (217) 782-5734

The full text of the Adopted Amendments begins on the next page:

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES  
SUBCHAPTER 9: BUREAU OF DISABILITY DETERMINATION SERVICES

PART 843  
DISABILITY CASE DEVELOPMENT PROCESS

SUBPART A: INITIAL, RECONSIDERATION, AND REOPENING CASE DEVELOPMENT

Section	
843.10	Definitions
843.11	Incorporation by Reference
843.20	Preliminary Case Action
843.30	Medical Evidence of Record Development
843.40	Consultative Examination Procedure
843.50	Vocational Evidence Development
843.60	Daily Activities Development for Mental Impairment Claims

SUBPART B: CONTINUING DISABILITY REVIEW (CDR) CASE DEVELOPMENT

Section	
843.70	Contact With Claimants
843.80	Medical Evidence of Record Development
843.90	Conflicts Between the Individual and the Medical Source
843.100	Consultative Examination Procedure
843.110	Vocational Evidence Development
843.120	Cessation Without Full Medical Development (Clear-Cut Cessation)

SUBPART C: SPECIAL ISSUES AFFECTING CASE DEVELOPMENT

Section	
843.130	Capability Development
843.140	Claimant Representative Involvement
843.150	Issues Which Necessitate Curtailing Development
843.160	Issues Which Necessitate Reopening a Prior Decision
843.170	Disposition of Trailer Mail

AUTHORITY: Implementing Section 3(a) and authorized by Section 3(k) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, as amended by Public Act 85-1351, ch. 23, pars. 3434(a) and 3434(k)).

SOURCE: Adopted at 12 Ill. Reg. 13996, effective August 23, 1988; amended at 13 Ill. Reg. 4298, effective March 15, 1989.

SUBPART A: INITIAL, RECONSIDERATION, AND REOPENING CASE DEVELOPMENT

Section 843.10 Definitions



## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

"Bureau" means the Bureau of Disability Determination Services.

"Claimant representative" means an attorney or other individual appointed by the claimant to act for him/her in the prosecution of a disability claim, who is qualified pursuant to the definition of "representative" in 89 Ill. Adm. Code 853.10.

"Clear-cut cessation" means a decision to discontinue disability benefits/payments without current medical development (i.e., the acquisition of medical evidence subsequent to the receipt of the case file by the Bureau for the purpose of conducting continuing disability review) when the claimant has returned to full-time work as defined in and meets the criteria as set forth in the Program Operations Manual System DI 28030.035 et seq. as revised January 1986.

"Continuing Disability review" means the periodic reexamination of a case, which is conducted pursuant to 89 Ill. Adm. Code 850 for which an allowance has been processed in order to determine if the claimant continues to be disabled.

"Daily activities development" means the process of obtaining a description of the claimant's customary actions, interests, and interpersonal relationships from medical and/or lay sources who have knowledge of the claimant's living conditions.

"Medical evidence of record" means medical information on file for a patient, such as reports of exams, progress notes, and test results, which are obtained from a treating source as defined in Program Operations Manual System DI 22505.025 as amended December 1986.

"Medical Information Unit" (MIU) means the unit established by the Bureau to perform various functions involving the consultative examination process and to coordinate all correspondence, communication, and record-keeping between the Bureau and Cook County Hospital and Tartus Clinic of Chicago, Illinois.

"Presumptive disability/blindness decision" means a favorable decision rendered for a Supplemental Security Income (SSI) claim based on the evaluation criteria as set forth in the Program Operations Manual System DI 23535.005, as amended January 1986; documentation which is short of that needed for a formal determination but demonstrative of a high likelihood that disability or blindness will be established when complete evidence is obtained, such decision permits the claimant to receive payments prior to the formal decision.

"Program Operations Manual System" means the policies and procedures of the Social Security Administration which set forth the objectives

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

and requirements of the disability programs and furnish the standards with which Social Security Administration operating components must comply in the administration of the functions they perform. The Social Security Act is the basis for all standards set forth in the Program Operations Manual System.

"Residual functional capacity" means the ability to function in a work setting despite the limitations imposed by a physical or mental impairment as determined pursuant to Program Operations Manual System DI 24510.001 and 25005.000 as amended January 1986.

"Sequential evaluation" means the order in which factors regarding impairment severity and work status are considered in the adjudication process, pursuant to 89 Ill. Adm. Code 845.

"~~Technical denial~~" means a ~~denial decision based on failure to meet Social Security Administration (SSA) requirements for entitlement to disability benefits other than the medical-vocational criteria~~

"Trailer mail" means medical evidence and other case-related correspondence received in the Bureau after the claim has been adjudicated and released.

"Vocational evidence" means documentation of the claimant's residual functional capacity, age, education, and work experience used when a disability decision based on medical evidence alone cannot be made.

"Work evaluation" means a program conducted at a work evaluation facility, which has an annual service agreement pursuant to 89 Ill. Adm. Code 530, to assess by testing of function and job sampling the claimant's ability to adjust to work pursuant to Program Operations Manual System DI 22515.045 as amended January 1986.

(Source: Amended at 13 Ill. Reg. 4298, effective Mar. 15, 1989)

## Section 843.50 Vocational Evidence Development

- a) The Bureau will determine whether complete vocational development is needed for the claim by following the steps of sequential evaluation described in 89 Ill. Adm. Code 845 (Sequential Evaluation Process for the Determination of Disability).
- b) The Bureau incorporates the criteria for vocational evidence development as specified in the Program Operations Manual System DI 22515.000 et seq. as amended January 1986.



## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- c) If the Bureau cannot assess the residual functional capacity based on medical and vocational evidence as defined by the Program Operations Manual System DI 22505.000 as amended June 1987, and DI 22515.000 as amended January 1986, the Bureau will provide the claimant with the following information:

- 1) The reason that the additional evidence is needed;
  - 2) A description of the work evaluation process;
  - 3) The dates during which the evaluation will occur;
  - 4) Transportation available from the facility or the travel reimbursement policy as set forth in 89 Ill. Adm. Code 840.50(b)(10);
  - 5) Directions to get to the facility and the contact person at the site;
  - 6) Instructions regarding medication, prostheses, and the money necessary for meals that should be taken to the evaluation;
  - 7) Description of the lodging arrangement.
- d) If a claimant fails to participate or cannot be contacted regarding a work evaluation, the Bureau will follow the guidelines for securing claimant cooperation as stated in the Program Operations Manual System DI 22501.030 et seq. as amended January 1986.
- e) If a claimant fails to go to the work evaluation for a valid reason as set forth in Program Operations Manual System DI 22510.055(b), as amended January 1986 89 Ill. Adm. Code 848.50(b)(9), but is willing to participate, the Bureau will recontact the facility to arrange for the claimant to complete the evaluation.
- f) Reimbursement for travel, meals and lodging will be made in accordance with 80 Ill. Adm. Code 2800.

(Source: Amended at 13 Ill. Reg. 4298, effective Mar. 15, 1989.)

## Section 843.60 Daily Activities Development for Mental Impairment Claims

- a) The Bureau incorporates the guidelines for daily activities in mental impairment claims set forth in the Program Operations Manual System DI 24510.076 et seq. as amended May 1986. Mental impairments are defined in 20 CFR 404. Subpart P, Appendix A, 12.00 (1987).

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- b) The Bureau will prepare a mental residual capacities assessment for cases involving a mental impairment in accordance with the Program Operations Manual System DI 24510.070(D), as amended January 1986, DI 24510.080, as amended May 1986, and DI 24510.085 as amended January 1987, based on the medical and daily activities evidence.
- c) If a claimant alleging a mental impairment refuses or fails to comply with a Department request for further development without good and valid reason, as explained in the Program Operations Manual System DI 22501.030 as amended January 1986, the Bureau will obtain assistance through contact with a third party or Social Security Administration field office assistance according to the guidelines in the Program Operations Manual System DI 22501.030 et seq. and DI 22505.050 et seq. as amended January 1986.

(Source: Amended at 13 Ill. Reg. 4298, effective Mar. 15, 1989)

## SUBPART B: CONTINUING DISABILITY REVIEW (CDR) CASE DEVELOPMENT

## Section 843.70 Contact With Claimant

- a) If information obtained by the SSA field office during the CDR interview does not meet the requirements contained in the Program Operations Manual System DI 28030.020, as amended June 1987, and DI 28030.030, as amended August 1987, ~~is inadequate for adjudicative purposes~~ the Bureau will directly contact the claimant or his/her representative for the necessary information following the guidelines set forth in the Program Operations Manual System DI 28030.015(A) as amended June 1987.

- b) If SSA field office assistance is needed to obtain the desired information, according to the provisions in the Program Operations Manual System DI 28030.015(B) as amended June 1987, the Bureau will request such assistance in accordance with the guidelines set forth in the Program Operations Manual System DI 22505.050 et seq. as amended January 1986.

(Source: Amended at 13 Ill. Reg. 4298, effective Mar. 15, 1989)

## Section 843.150 Issues Which Necessitate Curtailing Development

- a) When the claimant leaves Illinois before a decision on the case has been made, the Bureau will follow the steps specified in the Program Operations Manual System DI 20101.035 et seq. as amended January 1986.
- b) The Bureau will curtail development and return the case to the SSA field office as directed by the Program Operations Manual System DI



## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

20101.000 et seq. as amended January 1986. 20101.001(A)-(2) as amended January 1986. If a basis for a technical denial by the SSA is discovered, error insured status is not met.

- c) The Bureau will take action when the claimant fails to cooperate with the Bureau or SSA field office in accordance with the criteria stated in the Program Operations Manual System DI 23010.000 et seq., as amended January 1986, DI 22505.020 et seq. as amended December 1986, DI 22505.021 as amended December 1986, DI 22510.025(B) and (C) as amended April 1987, DI 22510.050 as amended January 1986, DI 22510.055 as amended January 1986, DI 22505.050 as amended October 1987, and DI 22505.065(B) as amended June 1987.

- d) When the claimant withdraws or does not wish to pursue the claim, the Bureau will follow the steps described in the Program Operations Manual System DI 23015.000 et seq. as amended January 1986.

- e) When the claimant's whereabouts become unknown during the processing of the claim, the Bureau will take action as described in the Program Operations Manual System DI 23005.000 et seq. as amended January 1986.

- f) When the claimant dies before completion of the case processing, the Bureau will follow the criteria set forth in the Program Operations Manual System DI 23510.000 et seq. as amended January 1986.

(Source: Amended at 13 Ill. Reg. 4298, effective Mar. 15, 1989)

## Section 843.160 Issues Which Necessitate Reopening a Prior Decision

- a) Case development for initial and reconsideration claims will be curtailed and a prior decision reopened, when the Bureau finds a basis for such action according to the criteria set forth in the Program Operations Manual System DI 27501.000 and DI 27505.000 et seq. as amended April 1986.

- b) Prior CDR decisions will be reopened following the criteria stated in the Program Operations Manual System DI 28501.000 et seq. as amended January 1986.

(Source: Amended at 13 Ill. Reg. 4298, effective Mar. 15, 1989)

## DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF REFUSAL TO MEET THE OBJECTION  
OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) The Heading of the Part: Dental Practice Act
- 2) Code Citation: 68 Ill. Adm. Code 1220
- 3) Section Numbers: Action:  
1220.530 Refusal
- 4) Date Notice of Proposed Rules Published in the Register (if applicable):

April 1, 1988 12 Ill. Reg. 5867  
(issue date)

- 5) Date JCAR Statement of Objection Published in the Register:

March 17, 1989 13 Ill. Reg. 3440  
(issue date)

- 6) Summary of Action Taken by the Agency: The Joint Committee objected to Section 1220.530 of the above-referenced rules on the basis that the Department has failed to prescribe standards by which the Anesthesia Review Panel created by that Section will review permit applications, and make recommendations to the Dental Board concerning the eligibility of applicants and the need for on-site inspections to evaluate applicants in violation of Section 4.02 of the IAPA.

The Department feels that at this time there are adequate standards to begin the application review process and issue permits. The regulated public has been informed of the specific educational and experience requirements necessary for application and of the requirements which constitute a properly equipped facility in which anesthesia is to be administered. These same educational, experience and equipment requirements are the standards which will be reviewed and considered by the Panel and Board in issuing the necessary permits.

Section 8.1 of the Dental Practice Act (Public Act 84-1308, effective August 25, 1986) charges the Department with the responsibility of issuing such anesthesia permits only after ascertaining that the applicant possesses the minimum qualifications necessary to protect the public safety.

In order to properly carry out the statutory requirement, it is necessary for the Department to create an Anesthesia Review Panel to provide professional advice to the Department and the Board concerning the issuance of permits to administer various classes of anesthesia, review of



## DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF REFUSAL TO MEET THE OBJECTION  
OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

permit applications, and report and recommend when to conduct on-site evaluations of facilities equipped to administer anesthesia in accordance with these rules.

The Department does not agree that the duties of the Panel would supplant the roles of the Department and the Board as suggested by the Joint Committee. The Panel is merely advisory and in effect subordinate to the Department and Board and was created to provide professional expertise and advice to the Board and Department concerning the regulation of anesthesia by dentists. The Board and Department may not possess such expertise since no member of the Dental Board is required to have or even may possess the qualifications set forth in these rules to use anesthesia. The Panel is merely an adjunct to the Department and Board and does not perform any function intended by statute for the Department or Board. It is ultimately the Department and the Board that make the determination in each case and it is the application criteria set forth in these rules that the Department and Board will be bound by.

Between now and December 31, 1989 which is the "grandfather" period, the Department will receive a large number of applications for permits to administer the various classes of anesthesia. This will allow an opportunity for the Department and the Board to reassess these rules and the standards which it has put forth. Even though the Department is not in agreement with the Joint Committee that additional standards are necessary, the Department will closely monitor the application process to see if it meets the needs of the Department, Board and regulated public. During this period of time, the Department and Board will keep an open mind about the need for additional standards, then the Department would seek to initiate further rulemaking.

For these reasons the Department refused to modify Section 1220.530 to meet the objection of the Joint Committee.

## DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF REFUSAL TO MEET THE OBJECTION  
OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) The Heading of the Part: Podiatric Medical Practice Act of 1987
- 2) Code Citation: 68 Ill. Adm. Code 1360
- 3) Section Number: 1360.70  
Action: Refusal
- 4) Date Notice of Proposed Rules Published in the Register (if applicable):  
September 23, 1988 12 Ill. Reg. 14963  
(issue date)
- 5) Date JCAR Statement of Objection Published in the Register:  
March 17 13 Ill. Reg. 3450  
(issue date)

- 6) Summary of Action Taken by the Agency: The Joint Committee objected to the above-referenced rules because, contrary to Section 14 of the Podiatric Medical Practice Act of 1987 (Ill. Rev. Stat. 1987, ch. 111, par. 4814), the Department's rules allow continuing education credit for verified formal learning experiences sponsored by entities that are not approved sponsors.

In drafting Section 14 of the Act, it was the Department's intent to provide other options to all licensed podiatrists obtaining continuing education and to allow the Department some flexibility in establishing continuing education requirements. The Department agrees that its intent is not reflected in the language of Section 14 of the Act as written, however, the Department did not intend for this language to be as inflexible as it is.

It is and has been the Department's position that programs sponsored by unapproved entities should be allowed, therefore, the Department will seek legislation to amend the statute.

For these reasons the Department refuses to modify this Section to meet the Objection of the Joint Committee.



## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF WITHDRAWAL OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Eligibility
- 2) Code Citation: 89 Ill. Adm. Code 552
- 3) Section Numbers: 552.100 Proposed Action:  
amendment
- 4) Date Notice of Proposed Amendment Published in the Illinois Register:  
January 6, 1989 13 Ill. Reg. 52  
(issue date)
- 5) Reason for the withdrawal: The pilot program for which this amendment was proposed has been cancelled.

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
STRATTON OFFICE BUILDING  
ROOM A-1  
SPRINGFIELD, ILLINOIS  
9:30 A.M.  
APRIL 5, 1989

NOTICE: It is the policy of the Joint Committee to allow only representatives of state agencies to testify orally on any rule under consideration at Joint Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee at the following address:

Joint Committee on Administrative Rules  
509 South Sixth Street  
Room 500  
Springfield, Illinois 62701

AGENDA

- I. Approval of March 1, 1988 Minutes
- II. Review of Proposed Agency Rulemaking

Department of Alcoholism and Substance Abuse

1. Driving Under the Influence Programs; 77 Ill. Adm. Code 2056  
-First Notice Published: 12 Ill. Reg. 22265 - 12-30-88  
-Expiration of Second Notice Period: 4-17-89

Attorney General

2. Franchise Disclosure Act; 14 Ill. Adm. Code 200  
-First Notice Published: 12 Ill. Reg. 20937 - 12-23-88  
-Expiration of Second Notice Period: 4-17-89
3. Retail Advertising; 14 Ill. Adm. Code 470  
-First Notice Published: 12 Ill. Reg. 15239 - 9-30-88  
-Expiration of Second Notice Period: 4-24-89



## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

## AGENDA

Department of Central Management Services

4. State of Illinois Dependent Care Assistance Plan; 80 Ill. Adm. Code 2110  
-First Notice Published: 13 Ill. Reg. 1 - 1-6-89  
-Expiration of Second Notice Period: 5-1-89

Department of Commerce and Community Affairs

5. Small Business Impact Analysis Procedures; 1 Ill. Adm. Code 300  
-First Notice Published: 12 Ill. Reg. 8511 - 5-20-88  
-Expiration of Second Notice Period: 4-27-89

Illinois Commerce Commission

6. Uniform System of Accounts for Telecommunications Carriers; 83 Ill. Adm. Code 710  
-First Notice Published: 12 Ill. Reg. 19563 - 11-28-88  
-Expiration of Second Notice Period: 4-3-89

7. Least-Cost Planning for Natural Gas Utilities; 83 Ill. Adm. Code 535  
-First Notice Published: 12 Ill. Reg. 9341 - 6-3-88  
-Expiration of Second Notice Period: 4-13-89

8. Rail Carrier Contract Rates; 92 Ill. Adm. Code 1595  
-First Notice Published: 12 Ill. Reg. 20974 - 12-23-88  
-Expiration of Second Notice Period: 4-24-89

9. Rail Carrier Contract Rates; Repeal of; 92 Ill. Adm. Code 1595  
-First Notice Published: 12 Ill. Reg. 20978 - 12-23-88  
-Expiration of Second Notice Period: 4-24-89

Department of Conservation

10. The Taking of Wild Turkeys-Spring Season; 17 Ill. Adm. Code 710  
-First Notice Published: 12 Ill. Reg. 20993 - 12-23-88  
-Expiration of Second Notice Period: 3-31-89

Department of Employment Security

11. General Provisions; 56 Ill. Adm. Code 2960  
-First Notice Published: 13 Ill. Reg. 17 - 1-6-89  
-Expiration of Second Notice Period: 4-13-89

12. Disqualifying Income and Reduced Benefits; 56 Ill. Adm. Code 2920  
-First Notice Published: 12 Ill. Reg. 22295 - 12-30-88  
-Expiration of Second Notice Period: 4-20-89

Environmental Protection Agency

13. Procedures for Issuing Loans from the Water Pollution Control Revolving Fund; 35 Ill. Adm. Code 365  
-First Notice Published: 12 Ill. Reg. 18030 - 11-14-88  
-Expiration of Second Notice Period: 4-7-89

The Department of Lottery

14. Lottery (General), Repeal of; 11 Ill. Adm. Code 1770  
-First Notice Published: 12 Ill. Reg. 10331 - 6-17-88  
-Expiration of Second Notice Period: 4-7-89

Illinois Housing Development Authority

15. Low Income Housing Tax Credit Allocation; 47 Ill. Adm. Code 350  
-First Notice Published: 12 Ill. Reg. 15265 - 9-30-88  
-Expiration of Second Notice Period: 4-3-89

16. Mortgage Credit Certificates; 47 Ill. Adm. Code 360  
-First Notice Published: 12 Ill. Reg. 19603 - 11-28-88  
-Expiration of Second Notice Period: 4-14-89

Department of Insurance

17. Notice of Eligibility; 50 Ill. Adm. Code 6701  
-First Notice Published: 12 Ill. Reg. 17617 - 11-4-88  
-Expiration of Second Notice Period: 4-3-89

Department of Mines and Minerals

18. Surface Installation Health and Safety; 62 Ill. Adm. Code 220  
-First Notice Published: 13 Ill. Reg. 23 - 1-6-89  
-Expiration of Second Notice Period: 5-1-89

Pollution Control Board

19. Effluent Standards; 35 Ill. Adm. Code 304  
-First Notice Published: 12 Ill. Reg. 18092 - 11-14-88  
-Expiration of Second Notice Period: 3-31-89



## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

20. Management of Scrap Tires; 35 Ill. Adm. Code 849  
-First Notice Published: 12 Ill. Reg. 15828 - 10-7-88  
Expiration of Second Notice Period: 4-20-89

Department of Professional Regulation

21. Optometry Act; 68 Ill. Adm. Code 1320  
-First Notice Published: 12 Ill. Reg. 8606 - 5-20-88  
Expiration of Second Notice Period: 5-1-89

Department of Public Aid

22. Medical Payment; 89 Ill. Adm. Code 140  
-First Notice Published: 12 Ill. Reg. 20714 - 12-16-88  
Expiration of Second Notice Period: 4-3-89

23. Aid to the Aged, Blind or Disabled; 89 Ill. Adm. Code 113  
-First Notice Published: 12 Ill. Reg. 22299 - 12-30-88  
Expiration of Second Notice Period: 4-3-89

24. Aid to Families With Dependent Children; 89 Ill. Adm. Code 112  
-First Notice Published: 12 Ill. Reg. 22308 - 12-30-88  
Expiration of Second Notice Period: 4-3-89

25. Reimbursement for Nursing Costs for Geriatric Facilities; 89 Ill. Adm. Code 147  
-First Notice Published: 12 Ill. Reg. 17201 - 10-28-88  
Expiration of Second Notice Period: 4-3-89

26. Medical Payment; 89 Ill. Adm. Code 140  
-First Notice Published: 12 Ill. Reg. 19868 - 12-2-88  
Expiration of Second Notice Period: 5-1-89

27. Child Support Enforcement; 89 Ill. Adm. Code 160  
-First Notice Published: 13 Ill. Reg. 1396 - 2-3-89  
Expiration of Second Notice Period: 5-5-89

Department of Public Health

28. The Illinois Formulary for the Drug Product Selection Program; 77 Ill. Adm. Code 790  
-First Notice Published: 12 Ill. Reg. 20411 - 12-9-88  
Expiration of Second Notice Period: 4-27-89

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

29. Minimum Standards for Classification and Licensure of Intermediate Care Facilities for the Developmentally Disabled; 77 Ill. Adm. Code 350  
-First Notice Published: 12 Ill. Reg. 26121 - 12-23-88  
Expiration of Second Notice Period: 4-17-89

30. Minimum Standards for Classification and Licensure of Sheltered Care Facilities; 77 Ill. Adm. Code 330  
-First Notice Published: 12 Ill. Reg. 21893 - 12-23-88  
Expiration of Second Notice Period: 4-10-89

31. Long-Term Care for Under Age 22; 77 Ill. Adm. Code 390  
-First Notice Published: 12 Ill. Reg. 21064 - 12-23-88  
Expiration of Second Notice Period: 4-24-89

Illinois Racing Board

32. Race Track Improvement Fund and Related Rules; 11 Ill. Adm. Code 404  
-First Notice Published: 12 Ill. Reg. 13936 - 9-2-88  
Expiration of Second Notice Period: 5-1-89

33. County Fair Regulations; 11 Ill. Adm. Code 437  
-First Notice Published: 13 Ill. Reg. 1099 - 1-27-89  
Expiration of Second Notice Period: 5-4-89

Department of Rehabilitation Services

34. Total Life Planning Program; 89 Ill. Adm. Code 910  
-First Notice Published: 12 Ill. Reg. 6005 - 4-1-88  
Expiration of Second Notice Period: 4-3-89

35. Definition of Terms; 89 Ill. Adm. Code 825  
-First Notice Published: 12 Ill. Reg. 13941 - 9-2-88  
Expiration of Second Notice Period: 4-10-89

36. Non-Homemaker Service Provider Requirements; 89 Ill. Adm. Code 714  
-First Notice Published: 12 Ill. Reg. 13952 - 9-2-88  
Expiration of Second Notice Period: 4-10-89

37. Vending Stand Program for the Blind; 89 Ill. Adm. Code 650  
-First Notice Published: 12 Ill. Reg. 15520 - 9-30-88  
Expiration of Second Notice Period: 4-10-89



## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

38. Grants and Contracts; 89 Ill. Adm. Code 525  
-First Notice Published: 12 Ill. Reg. 14117 - 9-9-88  
-Expiration of Second Notice Period: 4-24-89

Department of Revenue

39. Alcoholic Liquor-Hearings; Repeal of; 86 Ill. Adm. Code 415  
-First Notice Published: 12 Ill. Reg. 19976 - 12-2-88  
-Expiration of Second Notice Period: 3-31-89
40. Cigarette Tax Act-Hearings; Repeal of; 86 Ill. Adm. Code 445  
-First Notice Published: 12 Ill. Reg. 19981 - 12-2-88  
-Expiration of Second Notice Period: 3-31-89
41. Cigarette Use Tax Act-Hearings; Repeal of; 86 Ill. Adm. Code 455  
-First Notice Published: 12 Ill. Reg. 19987 - 12-2-88  
-Expiration of Second Notice Period: 3-31-89
42. Property Tax/Revenue Act of 1939; 86 Ill. Adm. Code 110  
-First Notice Published: 12 Ill. Reg. 20007 - 12-2-88  
-Expiration of Second Notice Period: 3-31-89

43. Retailers' Occupation Tax Hearings; Repeal of; 86 Ill. Adm. Code 200  
-First Notice Published: 12 Ill. Reg. 20012 - 12-2-88  
-Expiration of Second Notice Period: 3-31-89

44. Board of Appeals Rules; 86 Ill. Adm. Code 210  
-First Notice Published: 12 Ill. Reg. 11060 - 7-1-88  
-Expiration of Second Notice Period: 4-3-89

45. Practice and Procedure for Hearings Before the Illinois Department of Revenue; 86 Ill. Adm. Code 200  
-First Notice Published: 12 Ill. Reg. 19993 - 12-2-88  
-Expiration of Second Notice Period: 4-7-89

46. Property Tax/Revenue Act of 1939; 86 Ill. Adm. Code 110  
-First Notice Published: 12 Ill. Reg. 22373 - 12-30-88  
-Expiration of Second Notice Period: 4-7-89

47. Income Tax Regulations; 86 Ill. Adm. Code 100  
-First Notice Published: 13 Ill. Reg. 768 - 1-20-89  
-Expiration of Second Notice Period: 5-1-89

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

Secretary of State

48. Cancellation, Revocation and Suspension of Licenses or Permits; 92 Ill. Adm. Code 1040  
-First Notice Published: 12 Ill. Reg. 19636 - 11-28-88  
-Expiration of Second Notice Period: 4-14-89
49. Cancellation, Revocation or Suspension of Licenses or Permits; 92 Ill. Adm. Code 1040  
-First Notice Published: 12 Ill. Reg. 20760 - 12-16-88  
-Expiration of Second Notice Period: 4-14-89
50. Issuance of Licenses; 92 Ill. Adm. Code 1030  
-First Notice Published: 12 Ill. Reg. 20768 - 12-16-88  
-Expiration of Second Notice Period: 4-14-89

Department of State Police

51. Law Enforcement Agencies Data System (Leads); 20 Ill. Adm. Code 1240  
-First Notice Published: 12 Ill. Reg. 22127 - 12-23-88  
-Expiration of Second Notice Period: 4-7-89

State Records Commission

52. State Records Commission; 44 Ill. Adm. Code 4400  
-First Notice Published: 13 Ill. Reg. 44 - 1-6-89  
-Expiration of Second Notice Period: 4-13-89

Illinois State Scholarship Commission

53. General Provisions; 23 Ill. Adm. Code 1700  
-First Notice Published: 12 Ill. Reg. 18110 - 11-4-88  
-Expiration of Second Notice Period: 4-3-89
54. Guaranteed Loan Programs; 23 Ill. Adm. Code 1720  
-First Notice Published: 12 Ill. Reg. 18114 - 11-14-88  
-Expiration of Second Notice Period: 4-3-89
55. Paul Douglas Teacher Scholarship Program; 23 Ill. Adm. Code 1762  
-First Notice Published: 12 Ill. Reg. 18134 - 11-14-88  
-Expiration of Second Notice Period: 4-3-89
56. State Scholar Program; 23 Ill. Adm. Code 1760  
-First Notice Published: 12 Ill. Reg. 18138 - 11-14-88  
-Expiration of Second Notice Period: 4-3-89



## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

## AGENDA

State Universities Civil Service SystemOffice of the State Fire Marshal

57. State Universities Civil Service System; 80 Ill. Adm. Code 250  
-First Notice Published: 12 Ill. Reg. 17569 - 11-4-88  
-Expiration of Second Notice Period: 4-17-89

Department of Transportation

58. Financing the Installation and Maintenance of School Traffic Signals and Commercial-Industrial Traffic Signals on State Highways; 92 Ill. Adm. Code 545  
-First Notice Published: 13 Ill. Reg. 1111 - 1-27-89  
-Expiration of Second Notice Period: 4-28-89

59. Official Testing Stations; 92 Ill. Adm. Code 448  
-First Notice Published: 13 Ill. Reg. 1127 - 1-27-89  
-Expiration of Second Notice Period: 5-1-89

Board of Trustees of the University of Illinois

60. Program Content and Guidelines for Division of Services for Crippled Children; 89 Ill. Adm. Code 1200  
-First Notice Published: 12 Ill. Reg. 20613 - 12-16-88  
-Expiration of Second Notice Period: 5-11-89

## III. Certification of No Objection to Proposed Rulemaking

## IV. Review of Emergency Rulemaking and Peremptory Rulemaking

Department of Agriculture

61. Meat and Poultry Inspection Act; 8 Ill. Adm. Code 125 (Peremptory)  
-Notice Published: 13 Ill. Reg. 2160 - 2-17-89

Department of Conservation

62. Designation of Restricted Waters in the State of Illinois; 17 Ill. Adm. Code 2030 (Emergency)  
-Notice Published: 13 Ill. Reg. 2878 - 3-3-89

Criminal Justice Information Authority

63. Operating Procedures for the Administration of Federal Funds; 20 Ill. Adm. Code 1520 (Emergency)  
-Notice Published: 13 Ill. Reg. 1605 - 2-3-89

64. Storage, Transportation, Sale and Use of Gasoline and Volatile Oils; 41 Ill. Adm. Code 180 (Emergency)  
-Notice Published: 13 Ill. Reg. 1875 - 2-10-89

65. Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances; 41 Ill. Adm. Code 170 (Emergency)  
-Notice Published: 13 Ill. Reg. 1899 - 2-10-89

Department of Professional Regulation

66. Illinois Speech-Language Pathology and Audiology Practice Act, The; 68 Ill. Adm. Code 1465 (Emergency)  
-Notice Published: 13 Ill. Reg. 1616 - 2-3-89

67. Clinical Psychologist Licensing Act; 68 Ill. Adm. Code 1400 (Emergency)  
-Notice Published: 13 Ill. Reg. 2519 - 2-24-89

Illinois Racing Board

68. Pick Six Rules; 11 Ill. Adm. Code 417 (Emergency)  
-Notice Published: 13 Ill. Reg. 1899 - 2-10-89

## V. Incorporation by Reference

## VI. Agency Responses to Joint Committee Statements of Objection

Department of Central Management Services

69. Solicitation for Charitable Payroll Deductions; 80 Ill. Adm. Code 2650  
-First Published: 12 Ill. Reg. 6871 - 4-15-88  
-Objection Date: 1-9-89  
-Response: Refusal

Department of Children and Family Services

70. Confidentiality of Personal Information of Persons Served by the Department; 89 Ill. Adm. Code 431  
-First Published: 12 Ill. Reg. 11922 - 7-22-88  
-Objection Date: 12-15-88  
-Response: Refusal



## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

## AGENDA

71. Reports of Child Abuse and Neglect; 89 Ill. Adm. Code 300  
 -First Published: 12 Ill. Reg. 11953 - 7-22-88  
 -Objection Date: 12-15-88  
 -Response: Refusal and Agreement

Department of Conservation

72. Duck, Goose and Coot Hunting; 17 Ill. Adm. Code 590 (Emergency)  
 -First Published: 12 Ill. Reg. 22244 - 12-23-88  
 -Objection Date: 3-1-89  
 -Response: Agreement

Board of Ethics

73. Procedures of the Board of Ethics; 890 Ill. Adm. Code 2000  
 -First Published: 12 Ill. Reg. 12766 - 8-5-88  
 -Objection Date: 11-15-88  
 -Response: Failure to Respond

Department of Financial Institutions

74. Illinois Credit Union Act; 38 Ill. Adm. Code 190  
 -First Published: 12 Ill. Reg. 14097 - 9-9-88  
 -Objection Date: 12-15-88  
 -Response: Refusal

Department of Military Affairs

75. Loan of Military Artifacts; 23 Ill. Adm. Code 3300  
 -First Published: 12 Ill. Reg. 14809 - 9-23-88  
 -Objection Date: 3-1-89  
 -Response: Refusal

76. Rental of National Guard Armories; 71 Ill. Adm. Code 1510  
 -First Published: 12 Ill. Reg. 14813 - 9-23-88  
 -Objection Date: 3-1-89  
 -Response: Refusal

Department of Professional Regulation

77. Dental Practice Act; 68 Ill. Adm. Code 1220  
 -First Published: 12 Ill. Reg. 5867 - 4-1-88  
 -Objection Date: 3-1-89  
 -Response: Refusal

78. The Podiatry Act; 68 Ill. Adm. Code 1360  
 -First Published: 12 Ill. Reg. 14963 - 9-23-88  
 -Objection Date: 3-1-89  
 -Response: Refusal - Objection  
 Agreement - Recommendation

Department of Public Aid

79. Medical Payment; 89 Ill. Adm. Code 140  
 -First Published: 12 Ill. Reg. 16421 - 10-14-88  
 -Objection Date: 1-9-89  
 -Response: Modification

Secretary of State

80. Collection of Fees; 92 Ill. Adm. Code 1003  
 -First Published: 12 Ill. Reg. 20019 - 12-2-88  
 -Objection Date: 3-1-89  
 -Response: Refusal



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of March 13, 1989 through March 17, 1989 and have been scheduled for review by the Committee at its April 5, 1989 meeting. Other items not contained in this published list may also be considered by the Joint Committee at its April meeting. Members of the public wishing to express their views with respect to a proposed rule should submit written comments to the Joint Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
4/27/89	Department of Commerce and Community Affairs, Small Business Impact Analysis Procedures (1 Ill. Adm. Code 300)	5/20/88 12 Ill. Reg. 8511	April 5, 1989
4/28/89	Department of Transportation, Financing the Installation and Maintenance of School Traffic Signals and Commercial-Industrial Traffic Signals on State Highways (92 Ill. Adm. Code 545)	1/27/89 13 Ill. Reg. 1111	April 5, 1989
5/1/89	Department of Revenue, Income Tax Regulations (86 Ill. Adm. Code 100)	1/20/89 13 Ill. Reg. 768	April 5, 1989
5/1/89	Department of Professional Regulation, Optometry Act (68 Ill. Adm. Code 1320)	5/20/88 12 Ill. Reg. 8606	April 5, 1989
5/1/89	Illinois Racing Board, Race Track Improvement Fund and Related Rules (11 Ill. Adm. Code 404)	9/2/88 12 Ill. Reg. 13936	April 5, 1989
5/1/89	Department of Central Management Services, State of Illinois Dependent Care Assistance Plan (80 Ill. Adm. Code 2110)	1/6/89 13 Ill. Reg. 1	April 5, 1989
5/1/89	Department of Transportation, Official Testing Stations (92 Ill. Adm. Code 448)	1/27/89 13 Ill. Reg. 1127	April 5, 1989

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSECOND NOTICES RECEIVED  
(page 2)

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
5/1/89	Department of Mines and Minerals, Surface Installation Health and Safety (62 Ill. Adm. Code 220)	1/6/89 13 Ill. Reg. 23	April 5, 1989
5/1/89	Department of Public Aid, Medical Payment (89 Ill. Adm. Code 140)	12/2/88 12 Ill. Reg. 19868	April 5, 1989



## PROCLAMATION

89-090

Illinois Veterans Affairs Day

## PROCLAMATION

89-091

Marine Night Fighter Association Days

WHEREAS, March 15th marks a historic day in the history of veterans affairs, with elevation of the Veterans Administration to the President's Cabinet as the new Department of Veterans Affairs; and

WHEREAS, Illinois veterans, who through their military service have defended the values of this nation and continue to support them, will now be represented at the highest level of government; and

WHEREAS, this enhanced recognition of veterans and their families, who make up more than one-third of our total population, ensures continued attention to their contributions and needs; and

WHEREAS, the entire nation benefits from this recognition and from the programs that serve veterans in medicine, housing and education;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim March 15, 1989, as ILLINOIS VETERANS AFFAIRS DAY. I invite all citizens to observe this day with special recognition and honor for all our veterans served by the new U.S. Department of Veterans Affairs.

Issued March 10, 1989. Filed March 20, 1989.

WHEREAS, the purpose of the Marine Night Fighter Association is to encourage social relations among its members; and

WHEREAS, it seeks to preserve traditions, to commemorate the honors won on the field of battle, and to celebrate with appropriate ceremonies the outstanding deeds performed by its members; and

WHEREAS, it honors the memory of individuals of the United States Marine Corps who gave their lives in the defense of this country; and

WHEREAS, the association fosters and promotes the principles of American freedom and democracy; and

WHEREAS, it bands together in fellowship those who have honorably served in or with the United States Marine Corps and preserves the bond of comradeship between those in the service and those who have returned to civilian life; and

WHEREAS, it seeks to further the interest of the members, families and friends of the Marine Night Fighter Association;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim May 4-7, 1989, as MARINE NIGHT FIGHTER ASSOCIATION DAYS in Illinois.

Issued March 10, 1989. Filed March 20, 1989.



PROCLAMATION  
89-092

Recognizes Clarence Darrow Community Center/Honors George Kalidonis

WHEREAS, the Clarence Darrow Community Center (CDCC) is a comprehensive coordinating center that has provided 35 years of dedicated service to over 600 low-income black families of southwest Chicago's Garfield Ridge community; and

WHEREAS, originally established as the Ryder Center in 1953, CDCC is an affiliate of the Hull House Association and provides child care, family and teen counseling, literacy programs, employment assistance, and other services that these families need to help establish themselves as meaningful contributors in society; and

WHEREAS, in addition, the center has taken a "hands-on" approach to economic development in the community by starting a city-wide catering business, a laundromat, and a bus service providing transportation for inner-city residents to and from their work sites; and

WHEREAS, Mr. George Kalidonis, President of the Chicagoland Enterprise Center (CEC), and his staff have assisted the CDCC as entrepreneurs in these business ventures; and

WHEREAS, on April 1 at the Knickerbocker Hotel, Mr. Kalidonis will be the recipient of the prestigious 1989 Clarence Darrow Award, which is presented each year to a Chicago civic leader "for outstanding contributions to social justice and human progress;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, recognize the efforts of the CLARENCE DARROW COMMUNITY CENTER and honor GEORGE KALIDONIS for his support of that organization in creating greater opportunities and a better environment for the economically less fortunate residents of our state.

Issued March 10, 1989. Filed March 20, 1989.

PROCLAMATION  
89-093

Surgical Technologist Week

WHEREAS, the Association of Surgical Technologists, Inc. was officially certified as a non-profit educational organization in 1969 with the support of the Association of Operating Room Nurses, the American College of Surgeons, and the American Hospital Association; and

WHEREAS, the association's primary concerns center around ensuring that surgical technologists are educationally prepared to deliver quality patient care, which is accomplished through accredited surgical technology programs, national certification, and continued education; and

WHEREAS, surgical technologists are responsible for the environmental disinfection, safety, and efficiency of operating rooms, and their knowledge and experience with aseptic surgical techniques make them indispensable to the field; and

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim May 14-20, 1989, as SURGICAL TECHNOLOGIST WEEK in Illinois.

Issued March 10, 1989. Filed March 20, 1989.



## PROCLAMATION

89-094  
Auctioneer's Week

WHEREAS, auctions of real estate and personal property have been an influential part of marketing in the United States of America and in countries throughout the world; and

WHEREAS, the National Auctioneers Association, in cooperation with the Illinois States Auctioneers Association, seeks to achieve new heights in professionalism for its members and excellence of service for the buying public. The continual efforts of these associations to preserve the American free enterprise system are paramount in their endeavors;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim April 2-8, 1989, as AUCTIONEER'S WEEK in Illinois and urge all citizens to recognize and honor the many noteworthy contributions that auctioneers are making to our society and economy.

Issued March 14, 1989. Filed March 20, 1989.

## PROCLAMATION

89-095

Illinois Clean and Beautiful And Tree City USA Appreciation Month

WHEREAS, the State of Illinois abounds in natural beauty, is rich in natural resources and committed to improving the environmental quality of our state; and

WHEREAS, all citizens should contribute to maintaining an environment that is clean and healthful by preserving pure water, clean air, and the natural beauty of their surroundings; and

WHEREAS, communities throughout Illinois have qualified as Tree City USA communities and have made significant contributions toward improving and developing the forest resources of Illinois; and

WHEREAS, the Illinois Clean and Beautiful Program recognizes communities that have successfully improved the environment through proper management of solid waste, reduction of litter, establishment of recycling centers, and promotion of civic pride; and

WHEREAS, the Illinois Department of Commerce and Community Affairs and the Department of Conservation are dedicated to assisting these and other communities with environmental information and support;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim April 1989 as ILLINOIS CLEAN AND BEAUTIFUL AND TREE CITY USA APPRECIATION MONTH in Illinois. I ask all citizens from business, civic groups, government agencies, and other organizations to work together to preserve the natural beauty of our state not only during this month, but throughout the year.

Issued March 14, 1989. Filed March 20, 1989.



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## PROCLAMATION

89-096

Volunteer Week

WHEREAS, throughout Illinois and the nation, volunteers give their time and talents to people and organizations that would not otherwise receive help; and

WHEREAS, the millions of Americans who give this service are essential to our country's welfare. Giving unselfishly of their time, they enhance all areas of life, and their volunteer service is a major element in building better communities, better states and a better sense of well-being; and

WHEREAS, these volunteers are essential for solving human problems, and their willingness to help others without compensation is an important element of life in Illinois;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim April 9-15, 1989, as VOLUNTEER WEEK in Illinois, and urge all citizens to take pride in their volunteer heritage and to give special recognition to the volunteers and volunteer programs in our communities and our state.

Issued March 14, 1989. Filed March 20, 1989.



# JCAR - Joint Committee on Administrative Rules

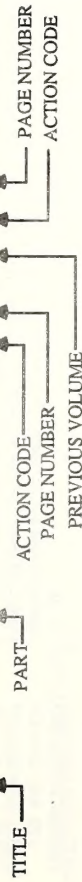
## ACTION CODES

A	- Adopted Rule	P	- Proposed Rule
AR	- Adopted Repealer	PF	- Prohibited Filing Ordered by JCAR
C	- Notice of Corrections	PP	- Peremptory or Court ordered Rules
CC	- Codification Changes	PR	- Proposed Repealer
E	- Emergency Rule	R	- Refusal to meet JCAR objection
ER	- Emergency Repealer	RC	- Statement of Recommendation
M	- Modification to meet JCAR objections	S	- Suspension ordered by JCAR
O	- JCAR Statement of Objections	W	- Withdrawal to meet JCAR objections

### EXAMPLE:

#### AGRICULTURE, DEPARTMENT OF

8 III. Adm. Code 285 III. Grain Insurance Act (P-18048/85; A-6818)



ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

#### AGING, DEPARTMENT ON

89 III. Adm. Code 240 Community Care Program (P-685)  
89 III. Adm. Code 230 Older Americans Act Programs (P-14777/88; A-2015) (P-12137/88; A-3054)

#### AGRICULTURE, DEPARTMENT OF

8 III. Adm. Code 255 Agrichemical Facilities (P-2571)  
8 III. Adm. Code 110 Animal Diagnostic Laboratory Act (P-19153/88; A-3617)  
8 III. Adm. Code 25 Animal Welfare Act (P-19164/88; A-3628)  
8 III. Adm. Code 75 Bovine Brucellosis (P-19172/88; A-3636)  
8 III. Adm. Code 20 Definitions (P-19178/88; W-2166)  
8 III. Adm. Code 85 Diseased Animals (P-19185/88; A-3642)  
8 III. Adm. Code 700 Farmland Preservation Act (P-14786/88; A-285) (P-17139/88; A-3653)  
68 III. Adm. Code 600 Grain Dealers (P-19795/88; A-3665)  
8 III. Adm. Code 80 III. Bovine Tuberculosis Eradication Act (P-19196/88; A-3676)  
8 III. Adm. Code 90 III. Dead Animal Disposal Act (P-19201/88; A-3681)  
8 III. Adm. Code 115 III. Pseudorabies Control Act (P-19218/88; A-3685)  
8 III. Adm. Code 230 III. Seed Law (P-3511) (E-4015)  
68 III. Adm. Code 610 Livestock Dealer Licensing (P-19205/88; A-3690)  
8 III. Adm. Code 125 Meat & Poultry Inspection Act (PP-228) (PP-2160) (P-19211/88; A-3696)  
8 III. Adm. Code 505 Public Grain Warehouse & Warehouse Receipts Act (P-19806/88; A-3703)  
8 III. Adm. Code 105 Swine Disease Control & Eradication Act (P-20309/88; A-3715)

#### BANKS AND TRUST COMPANIES, COMMISSIONER OF

38 III. Adm. Code 303 Use of a State Bank's Corporate Name in Identification & Communication (P-2889)

#### CAPITAL DEVELOPMENT BOARD

44 III. Adm. Code 910 Procurement Practices (P-1917)  
71 III. Adm. Code 40 Standards for Award of Grants Elementary & Secondary Schools Capital Assistance Program (P-1283)

#### CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

80 III. Adm. Code 302 Merit & Fitness (P-1639) (P-15813/88; A-3722)  
80 III. Adm. Code 310 Pay Plan (P-20584/88; RC-1254) (P-1296) (P-2892)  
80 III. Adm. Code 2150 Service-Connected Days Benefit Administration (P-10285/88; A-2402)  
80 III. Adm. Code 2650 Solicitation for Charitable Payroll Deductions (P-6871/88; O-1256; R-3411; A-3330)  
80 III. Adm. Code 2110 State of Ill. Dependent Care Assistance Plan (P-1) (E-214)  
44 III. Adm. Code 5040 State Vehicles & Garage (P-4071)

#### CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

89 III. Adm. Code 431 Confidentiality of Personal Information of Persons Served by the Department (P-11922/88; O-22457/88; R-2532; A-2407)  
89 III. Adm. Code 310 Delivery of Youth Services Funded by the Department of Children & Family Services (P-11935/88; O-3412; RC-3414)  
89 III. Adm. Code 437 Department of Children & Family Services Employee Conflict of Interest (P-13752/88; A-3339)  
89 III. Adm. Code 357 Purchase of Service (P-13807/88; A-3344)  
89 III. Adm. Code 300 Reports of Child Abuse & Neglect (P-11953/88; O-22472/88; R-2535; A-2419)

#### CIVIL SERVICE SYSTEM, STATE UNIVERSITIES

80 III. Adm. Code 250 State Universities Civil Service System (P-1921)

#### COLLEGES AND UNIVERSITIES, BOARD OF GOVERNORS OF STATE

44 III. Adm. Code 530 Joint Rules of the Board of Regents, the Board of Governors of State Colleges & Southern Ill. University: Procurement & Bidding (P-2648)  
2 III. Adm. Code 5025 Public Information, Rulemaking & Organization (AR-3742) (A-3747)

#### COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

14 III. Adm. Code 630 Corridors of Opportunity Program (P-4987/88; A-4164)  
56 III. Adm. Code 2625 Economic Dislocation & Worker Adjustment Assistance (P-3513) (E-4019)  
47 III. Adm. Code 160 Emergency Shelter Grants Program (P-9271/88; A-2024)  
14 III. Adm. Code 590 III. Large Business Development Program (P-15249/88; A-2028)  
14 III. Adm. Code 570 III. Small Business Development Program (P-20714/87; A-58)  
14 III. Adm. Code 620 Labor-Management Program (P-14797/88; A-1758)  
56 III. Adm. Code 2600 Service Delivery System & State Responsibilities (P-3515) (E-4028)  
47 III. Adm. Code 120 State Administration of the Federal Community Services Block Grant Program (P-8521/88; A-779) (P-1311) (P-4075)  
47 III. Adm. Code 100 State Administration of the Federal Low-Income Home Energy Assistance Block Grant Program (P-1930)

#### COMMERCE COMMISSION, ILLINOIS

83 III. Adm. Code 435 Electric Utility Forecasting (G.O.215) (PR-3)  
83 III. Adm. Code 281 Energy Assistance (P-1647)  
92 III. Adm. Code 1205 Fees & Taxes (P-1665)  
92 III. Adm. Code 1206 Investigation & Suspension of Rates (P-1671)  
92 III. Adm. Code 440 Least-Cost Planning for Electric Utilities (P-3162/88; A-296)  
92 III. Adm. Code 1225 Publication, Posting & Filing of Tariffs, Contracts, Schedules & Related Documents (P-1676)  
92 III. Adm. Code 1710 Relocation Towing (P-10)  
83 III. Adm. Code 595 Reports of Accidents or Incidents by Persons Engaged in the Transportation of Gas, or Who Own or Operate Gas Pipeline Facilities (P-16309/88; A-2036)  
83 III. Adm. Code 505 Uniform System of Accounts for Gas Utilities (P-1686)



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- 89-050 Cardiac Rehabilitation Week 2224
- 89-051 Future Farmers of America Week 2225
- 89-052 Labor-Management Cooperation Week 2226
- 89-053 STC's International Technical Communication Week 2227
- 89-054 Engineers Week 2228
- 89-055 DuPage County Sesquicentennial 2568
- 89-056 Tornado Preparedness Week 2569
- 89-057 Legislators' Fitness Day 2570
- 89-058 Rehabilitation Facilities Week 2887
- 89-059 Recognizes John G. Gilbert 2888
- 89-060 Grammy Awards Celebration Day 3205
- 89-061 Listening Awareness Day 3206
- 89-062 RP Awareness Day 3207
- 89-063 St. David's Day 3208
- 89-064 Women's History Month 3209
- 89-065 Casimir Pulaski Day 3210
- 89-066 Ill. State Quartet Convention Week 3211
- 89-067 Youth Art Month 3212
- 89-068 Viet Nam Veterans Day 3503
- 89-069 International Demolay Week 3504
- 89-070 Agriculture Week 3505
- 89-071 Herman Bryant Day 3506
- 89-072 Four Seasons Hotel Chicago Opening Day 3507
- 89-073 City of Belleville Year 3508
- 89-074 Shanrocks Against Dystrophy Days in Ill. 3509
- 89-075 Technical Education Week 3510
- 89-076 Pharmacy Day 4057
- 89-077 Arts Education Week 4058
- 89-078 Biomedical Equipment Technology Week 4059
- 89-079 U. S. Savings Bond Month 4060



PROCLAMATIONS (CONT'D)

89-080 Congratulates Top Ladies of Distinction  
89-081 Earthquake Awareness Week  
89-082 Home Center Week  
89-083 Junior League of Springfield Appreciation Week  
89-084 Licensed Practical Nurse Week  
89-085 POW-MIA Day  
89-086 Professional Social Work Month  
89-087 Rochelle Lee Fund Day  
89-088 School Psychology Week  
89-089 Call Before You Dig Month  
89-090 Ill. Veterans Affairs Day  
89-091 Marine Night Fighter Association Days  
89-092 Recognizes Clarence Darrow Community Center/Honors George Kalindonis  
89-093 Surgical Technologist Week  
89-094 Auctioneer's Week  
89-095 Ill. Clean & Beautiful & Tree City USA Appreciation Month  
89-096 Volunteer Week

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The Sections Affected Index lists, by Title, each Section of a codified Part on which rulemaking activity has occurred in this volume of the Register and is divided into two parts: the first lists the Sections on which rulemaking activity occurred in the previous issues of this volume year; the second lists the Sections on which rulemaking activity occurred in this issue of the Register. (The headings at the top of each page indicate the two parts: the first part shows the previous issue numbers inclusively and the date of the last published issue; the second lists the current issue number and date.) The columns in both parts indicate the type of rulemaking activity and the action taken along with the page number on which the first page of the notice of rulemaking activity appeared. If a Section on which action is being taken in the current volume (calendar year) of the Register was proposed in a previous volume, the last two digits of the previous volume's year appear immediately after the page number separated by a slash. (e.g. 1 Ill. Adm. Code 100.280 was proposed last year and adopted this year. The action entry reads: (P-8577/86; A-724)) The codes for both columns are listed below. For a complete listing of the Titles of the Illinois Administrative Code, please refer to 1 Ill. Adm. Code 100.140 or contact the Administrative Code Division.

TYPE OF RULEMAKING		ACTION CODES	
am	= amendment to existing Section	A	= Adopted rule
cc	= codification changes	C	= Correction
n	= new Section	CC	= Codification Changes
r	= repeal of existing Section	E	= Emergency rule
rc	= recodified	F	= Failure to Remedy
#	= renumbered	M	= Modification
		O	= ICAR Objection
		P	= Proposed rule
		PP	= Prohibited Filing
		PP	= Peremptory rule
		R	= Refusal to Modify or Withdraw
		RC	= ICAR Recommendation
		S	= Suspended rule
		W	= Withdrawal of Proposed rule

TITLE 2

850.15	n	(A-1510)	
850.20	am	(A-1510)	
850.30	am	(A-1510)	
850.110	am	(A-1510)	
850.120	am	(A-1510)	
850.130	am	(A-1510)	
850.205	n	(A-1510)	
850.210	am	(A-1510)	
850.220	am	(A-1510)	
850.230	am	(A-1510)	
850.240	am	(A-1510)	
850.Tb. A	am	(A-1510)	
850.Tb. B	am	(A-1510)	
850.Tb. C	am	(A-1510)	
850.Tb. D	am	(A-1510)	
850.Tb. E	am	(A-1510)	
850.Tb. G	am	(A-1510)	
850.Tb. H	am	(A-1510)	
5025.10	r	(A-3742)	
5025.110	n	(A-3747)	
5025.120	n	(A-3747)	
5025.130	n	(A-3747)	
5025.140	n	(A-3747)	
5025.150	n	(A-3747)	
5025.160	n	(A-3747)	
5025.170	n	(A-3747)	
5025.180	n	(A-3747)	
5025.210	n	(A-3747)	
5025.210	r	(A-3742)	
5025.220	r	(A-3742)	
5025.230	r	(A-3742)	
5025.310	n	(A-3747)	

TITLE 2 (CONT'D)

5025.320	n	(A-3747)	
5025.Ap. A	r	(A-3742)	

TITLE 8

20.1	am	(P-19178/88; W-2166)	
25.20	am	(P-19164/88; A-3628)	
25.30	am	(P-19164/88; A-3628)	
25.50	am	(P-19164/88; A-3628)	
25.130	am	(P-19164/88; A-3628)	
75.5	am	(P-19172/88; A-3636)	
75.190	am	(P-19172/88; A-3636)	
80.10	am	(P-19196/88; A-3676)	
80.20	am	(P-19196/88; A-3676)	
80.110	am	(P-19196/88; A-3676)	
85.5	am	(P-19185/88; A-3642)	
85.10	am	(P-19185/88; A-3642)	
85.15	am	(P-19185/88; A-3642)	
85.50	am	(P-19185/88; A-3642)	
85.75	am	(P-19185/88; A-3642)	
90.10	am	(P-19201/88; A-3681)	
90.110	am	(P-19201/88; A-3681)	
105.5	am	(P-20309/88; A-3715)	
105.10	am	(P-20309/88; A-3715)	
105.30	am	(P-20309/88; A-3715)	
110.50	am	(P-19153/88; A-3617)	
110.80	am	(P-19153/88; A-3617)	
110.90	am	(P-19153/88; A-3617)	
110.110	am	(P-19153/88; A-3617)	
110.120	am	(P-19153/88; A-3617)	
115.10	am	(P-19153/88; A-3617)	
115.20	am	(P-19218/88; A-3685)	
125.10	am	(PP-228)	



TITLE 8 (CONTD)

125.60  
125.80  
125.90  
125.270  
125.305  
230.20  
255.10  
255.20  
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505.10  
505.20  
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505.240  
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700. Ap. I  
1400.147  
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190.160	190.180	305.10	305.20	400.110	400.120	400.130	400.140	400.141	400.142
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**TITLE 56 (CONT'D)**

2600.20	an	(P-3515) (E-4028)
2600.30	an	(P-3515) (E-4028)
2625.20	n	(P-3513) (E-4019)
2625.30	n	(P-3513) (E-4019)
2625.40	n	(P-3513) (E-4019)
2625.50	n	(P-3513) (E-4019)
2712.201	n	(P-15257/88; O-22482/88; R-965; A-795)
2712.202	n	(P-15257/88; O-22482/88; R-965; A-795)
2712.203	n	(P-15257/88; O-22482/88; R-965; A-795)
2712.205	n	(P-15257/88; O-22482/88; R-965; A-795)
2712.207	n	(P-15257/88; O-22482/88; R-965; A-795)
2712.210	n	(P-15257/88; O-22482/88; R-965; A-795)
2732.210	n	(P-1945)
2765.205	n	(P-752)
2770.105	an	(P-743)
2905.1	an	(P-2229)
2905.15	an	(P-2229)
2905.25	r	(P-2229)
2905.40	n	(P-2229)

**TITLE 59**

106.15	an	(P-18087/88; A-3821)
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**TITLE 62**

220.10	an	(P-23)
220.80	an	(P-23)
220.160	an	(P-756)

**TITLE 68**

600.10	an	(P-19795/88; A-3665)
600.30	an	(P-19795/88; A-3665)
600.60	an	(P-19795/88; A-3665)
600.80	an	(P-19795/88; A-3665)
600.90	n	(P-19795/88; A-3665)
600.100	n	(P-19795/88; A-3665)
600.110	n	(P-19795/88; A-3665)
610.10	an	(P-19205/88; A-3690)
610.20	an	(P-19205/88; A-3690)
610.30	an	(P-19205/88; A-3690)
610.40	an	(P-19205/88; A-3690)
610.60	an	(P-19205/88; A-3690)
1220.530	n	(P-5867/88; O-3444; RC-3447)
1250.130	an	(P-3535)
1250.190	an	(P-3535)
1280.10	r	(P-8536/88; A-513)
1280.20	r	(P-8536/88; A-513)
1280.30	r	(P-8536/88; A-513)
1280.40	r	(P-8536/88; A-513)
1280.50	r	(P-8536/88; A-513)
1280.55	r	(P-8536/88; A-513)

**TITLE 71 (CONT'D)**

1510.120	n	(P-14813/88; O-3442)
1510.130	n	(P-14813/88; O-3442)
1510.140	n	(P-14813/88; O-3442)
1510.150	n	(P-14813/88; O-3442)
1510.200	n	(P-14813/88; O-3442)
1510.210	n	(P-14813/88; O-3442)
1510.220	n	(P-14813/88; O-3442)
1510.300	n	(P-14813/88; O-3442)
1510.310	n	(P-14813/88; O-3442)
1510.320	n	(P-14813/88; O-3442)
1510.330	n	(P-14813/88; O-3442)
1510.340	n	(P-14813/88; O-3442)
1510.350	n	(P-14813/88; O-3442)
1510.Ap. A	n	(P-14813/88; O-3442)
1510.Ap. B	n	(P-14813/88; O-3442)

**TITLE 77**

380.100	n	(P-987)
380.110	n	(P-987)
380.115	n	(P-987)
380.120	n	(P-987)
380.130	n	(P-987)
380.140	n	(P-987)
380.150	n	(P-987)
380.160	n	(P-987)
380.170	n	(P-987)
380.180	n	(P-987)
380.190	n	(P-987)
380.200	n	(P-987)
380.210	n	(P-987)
380.220	n	(P-987)
380.230	n	(P-987)
380.240	n	(P-987)
380.250	n	(P-987)
380.260	n	(P-987)
380.270	n	(P-987)
380.280	n	(P-987)
380.290	n	(P-987)
380.300	n	(P-987)
380.310	n	(P-987)
380.320	n	(P-987)
380.330	n	(P-987)
380.340	n	(P-987)
380.350	n	(P-987)
380.360	n	(P-987)
380.370	n	(P-987)
380.380	n	(P-987)
380.390	n	(P-987)
380.400	n	(P-987)
380.410	n	(P-987)
380.420	n	(P-987)
380.430	n	(P-987)
380.440	n	(P-987)
380.450	n	(P-987)
380.460	n	(P-987)
380.470	n	(P-987)



TITLE 77 (CONTD)		TITLE 77 (CONTD)	
450.320	am (P-2249)	490.410	n (P-2974)
450.330	am (P-2249)	490.420	n (P-2974)
450.340	am (P-2249)	490.430	n (P-2974)
450.410	am (P-2249)	490.440	n (P-2974)
450.420	am (P-2249)	490.510	n (P-2974)
450.430	am (P-2249)	490.520	n (P-2974)
450.440	am (P-2249)	490.610	n (P-2974)
450.450	am (P-2249)	490.620	n (P-2974)
450.510	am (P-2249)	490.710	n (P-2974)
450.520	am (P-2249)	490.720	n (P-2974)
450.530	r (P-2249)	490.730	n (P-2974)
450.540	r (P-2249)	490.740	n (P-2974)
450.550	r (P-2249)	490.750	n (P-2974)
450.560	r (P-2249)	490.760	n (P-2974)
450.570	r (P-2249)	490.770	n (P-2974)
450.610	am (P-2249)	490.780	n (P-2974)
450.710	am (P-2249)	490.810	n (P-2974)
450.720	am (P-2249)	490.820	n (P-2974)
450.730	am (P-2249)	490.830	n (P-2974)
450.810	r (P-2249)	490.840	n (P-2974)
450.820	r (P-2249)	490.910	n (P-2974)
450.830	r (P-2249)	542.10	n (P-4544/88; A-3086)
450.835	r (P-2249)	542.20	n (P-4544/88; A-3086)
450.840	r (P-2249)	542.30	n (P-4544/88; A-3086)
450.845	r (P-2249)	542.40	n (P-4544/88; A-3086)
450.848	r (P-2249)	542.50	n (P-4544/88; A-3086)
450.850	r (P-2249)	542.60	n (P-4544/88; A-3086)
450.860	r (P-2249)	542.70	n (P-4544/88; A-3086)
450.870	r (P-2249)	542.80	n (P-4544/88; A-3086)
450.920	am (P-2249)	542.90	n (P-4544/88; A-3086)
450.930	am (P-2249)	542.100	n (P-4544/88; A-3086)
450.940	am (P-2249)	661.10	am (P-3599)
450.950	am (P-2249)	661.15	am (P-3599)
450.1010	am (P-2249)	661.20	am (P-3599)
450.1110	am (P-2249)	661.30	am (P-3599)
450.1120	am (P-2249)	661.35	am (P-3599)
450.1130	am (P-2249)	661.40	am (P-3599)
450.1140	am (P-2249)	661.50	am (P-3599)
450.1150	am (P-2249)	725.5	r (P-7265/88; A-2517)
450.1155	am (P-2249)	725.10	r (P-7265/88; A-2517)
450.1200	am (P-2249)	725.15	n (P-7272/88; A-2502)
450.1300	n (P-2249)	725.15	n (P-7272/88; A-2502)
450.1310	n (P-2249)	725.20	n (P-7272/88; A-2502)
450.1320	n (P-2249)	725.30	r (P-7265/88; A-2517)
450.1330	n (P-2249)	725.30	r (P-7272/88; A-2502)
450.1340	n (P-2249)	725.40	r (P-7265/88; A-2517)
450.1350	n (P-2249)	725.40	r (P-7272/88; A-2502)
450.1355	n (P-2249)	725.41	n (P-7272/88; A-2502)
450.1400	n (P-2974)	725.42	n (P-7272/88; A-2502)
450.1410	n (P-2974)	725.43	n (P-7272/88; A-2502)
450.1420	n (P-2974)	725.44	n (P-7272/88; A-2502)
450.1430	n (P-2974)	725.45	r (P-7265/88; A-2517)
450.1440	n (P-2974)	725.50	r (P-7265/88; A-2517)
450.1450	n (P-2974)	725.50	n (P-7272/88; A-2502)
450.1460	n (P-2974)	725.51	n (P-7272/88; A-2502)
450.1470	n (P-2974)	725.60	r (P-7265/88; A-2517)
450.1480	n (P-2974)	725.61	r (P-7265/88; A-2517)

TITLE 77 (CONT'D)		TITLE 77 (CONT'D)			
725.60	n	(P-7272/88; A-2502)	790.1685	am	(P-12991/88; A-856) (P-3015) (E-3108)
725.65	r	(P-7265/88; A-2517)	790.1697	am	(P-3015) (E-3108)
725.70	r	(P-7265/88; A-2517)	790.1700	am	(P-3015) (E-3108)
725.70	n	(P-7272/88; A-2502)	790.1706	am	(P-3015) (E-3108)
725.71	n	(P-7272/88; A-2502)	790.1708	am	(P-3015) (E-3108)
725.80	r	(P-7265/88; A-2517)	790.1710	am	(P-3015) (E-3108)
725.80	n	(P-7272/88; A-2502)	790.1721	am	(P-16425/88; A-856) (P-3015)
750.10	am	(P-14113/88; A-1819)	790.1740	am	(P-16425/88; A-856) (P-3015) (E-3108)
750.140	am	(P-14113/88; A-1819)	790.1930	am	(P-16425/88; A-856)
760.20	am	(P-14115/88; A-1830)	790.1980	am	(P-3015) (E-3108)
760.150	am	(P-14115/88; A-1830)	790.2060	am	(P-16425/88; A-856)
790.420	am	(P-3015) (E-3108)	790.2097	am	(P-12991/88; A-856) (P-3015)
790.460	am	(P-12991/88; P-16425/88; A-856)			
790.500	am	(P-3015) (E-3108)	790.2140	am	(P-12991/88; P-16425/88; A-856)
790.540	am	(P-12991/88; P-16425/88; A-856)	790.2180	am	(P-16425/88; A-856)
790.580	am	(P-16425/88; A-856)	790.2260	am	(P-16425/88; A-856)
790.600	am	(P-16425/88; A-856)	790.2340	am	(P-16425/88; A-856)
790.620	am	(P-3015) (E-3108)	790.2380	am	(P-16425/88; A-856)
790.630	am	(P-12991/88; A-856)	790.2500	am	(P-12991/88; P-16425/88; A-856) (P-3015) (E-3108)
790.799	n	(P-12991/88; A-856)	790.2540	am	(P-16425/88; A-856)
790.799	n	(P-16425/88; A-856)	790.2580	am	(P-16425/88; A-856)
790.860	am	(P-16425/88; A-856)	790.2603	n	(P-3015) (E-3108)
790.900	am	(P-3015) (E-3108)	790.2605	am	(P-12991/88; P-16425/88; A-856) (P-3015) (E-3108)
790.900	am	(P-16425/88; A-856)	790.2613	am	(P-16425/88; A-856)
790.90.5	am	(P-16425/88; A-856)	790.2617	am	(P-16425/88; A-856) (P-3015) (E-3108)
790.910	am	(P-12991/88; A-856)	790.2618	am	(P-12991/88; P-16425/88; A-856) (P-3015) (E-3108)
790.940	am	(P-12991/88; A-856)	790.2663	am	(P-3015) (E-3108)
790.980	am	(P-3015) (E-3108)	790.2668	am	(P-3015) (E-3108)
790.1060	am	(P-12991/88; A-856)	790.2672	am	(P-3015) (E-3108)
790.1100	r	(P-16425/88; A-856)	790.2700	am	(P-3015) (E-3108)
790.1125	n	(P-16425/88; A-856)	790.2780	am	(P-16425/88; A-856) (P-3015) (E-3108)
790.1125	am	(P-3015) (E-3108)	790.2800	n	(P-3015) (E-3108)
790.1127	am	(P-3015) (E-3108)	790.2860	am	(P-16425/88; A-856)
790.1127	n	(P-16425/88; A-856)	790.2900	am	(P-16425/88; A-856) (P-3015) (E-3108)
790.1129	n	(P-16425/88; A-856)	790.2904	am	(P-16425/88; A-856) (P-3015) (E-3108)
790.1129	am	(P-3015) (E-3108)	790.2928	r	(P-16425/88; A-856)
790.1131	n	(P-16425/88; A-856)	790.2928	n	(P-12991/88; A-856)
790.1131	am	(P-3015) (E-3108)	790.2932	am	(P-16425/88; A-856)
790.1200	am	(P-3015) (E-3108)	790.2940	am	(P-3015) (E-3108)
790.1300	am	(P-16425/88; A-856) (P-3015)	790.3020	am	(P-16425/88; A-856)
790.1345	am	(P-16425/88; A-856)	790.3023	am	(P-3015) (E-3108)
790.1440	am	(P-16425/88; A-856)	790.3027	am	(P-16425/88; A-856)
790.1460	am	(P-16425/88; A-856)	790.3028	am	(P-3015) (E-3108)
790.1560	n	(P-12991/88; P-16425/88; A-856)	790.3054	am	(P-3015) (E-3108)
790.1570	n	(P-16425/88; A-856)	790.3085	am	(P-16425/88; A-856)
790.1570	am	(P-3015) (E-3108)	790.3100	am	(P-16425/88; A-856)
790.1577	am	(P-16425/88; A-856) (P-3015) (E-3108)	790.3300	am	(P-16425/88; A-856) (E-3108)
790.1620	am	(P-12991/88; A-856)			
790.1660	am	(P-16425/88; A-856)			



TITLE 77 (CONT'D)		TITLE 77 (CONT'D)	
790.3315	am (P-3015) (E-3108)	790.5300	am (P-16425/88; A-856)
790.3335	am (P-16425/88; A-856)	790.5312	am (P-12991/88; A-856) (P-3015)
790.3340	am (P-12991/88; P-16425/88; A-856)	790.5320	am (P-16425/88; A-856) (P-3015)
790.3420	am (P-12991/88; A-856) (P-3015)	790.5483	am (P-12991/88; P-16425/88; A-856)
790.3425	am (P-16425/88; A-856)	790.5520	n (P-16425/88; A-856)
790.3437	am (P-12991/88; A-856) (P-3015)	790.5530	am (P-16425/88; A-856)
790.3440	n (P-16425/88; A-856)	790.5540	am (P-16425/88; A-856) (P-3015)
790.3475	am (P-16425/88; A-856)	790.5544	am (P-12991/88; P-16425/88; A-856)
790.3492	am (P-3015) (E-3108)	790.5560	n (P-16425/88; A-856)
790.3500	am (P-16425/88; A-856)	790.5620	am (P-12991/88; P-16425/88; A-856)
790.3540	am (P-16425/88; A-856)	790.5640	n (P-12991/88; A-856)
790.3620	am (P-12991/88; P-16425/88; A-856)	790.5660	am (P-3015) (E-3108)
790.3700	am (P-3015) (E-3108)	790.5780	am (P-16425/88; A-856)
790.3720	n (P-16425/88; A-856)	790.5792	am (P-12991/88; P-16425/88; A-856)
790.3900	am (P-16425/88; A-856)	790.5795	n (P-16425/88; A-856)
790.3907	am (P-12991/88; A-856)	790.5807	am (P-16425/88; A-856) (P-3015)
790.3910	n (P-12991/88; P-16425/88; A-856)	790.5820	am (P-12991/88; P-16425/88; A-856)
790.3910	am (P-3015) (E-3108)	790.5830	am (P-12991/88; P-16425/88; A-856)
790.3940	am (P-16425/88; A-856)	790.5837	n (P-12991/88; A-856)
790.3945	am (P-16425/88; A-856) (P-3015)	790.5840	am (P-16425/88; A-856)
790.4012	am (P-16425/88; A-856) (E-3108)	790.5872	am (P-16425/88; A-856)
790.4040	am (P-16425/88; A-856) (P-3015)	790.5893	am (P-16425/88; A-856)
790.4060	am (P-16425/88; A-856)	790.5900	am (P-16425/88; A-856) (P-3015)
790.4100	am (P-12991/88; P-16425/88; A-856)	790.5924	am (P-12991/88; A-856) (E-3108)
790.4220	am (P-16425/88; A-856)	790.5940	am (P-12991/88; P-16425/88; A-856)
790.4300	am (P-3015) (E-3108)	790.5980	am (P-16425/88; A-856)
790.4396	am (P-12991/88; P-16425/88; A-856)	790.5992	am (P-3015) (E-3108)
790.4398	am (P-3015) (E-3108)	790.6140	am (P-16425/88; A-856)
790.4430	am (P-16425/88; A-856)	790.6180	am (P-3015) (E-3108)
790.4460	am (P-16425/88; A-856)	790.6260	am (P-16425/88; A-856) (P-3015)
790.4540	am (P-3015) (E-3108)	790.6275	am (P-12991/88; P-16425/88; A-856)
790.4580	am (P-16425/88; A-856)	790.6280	am (P-16425/88; A-856)
790.4620	am (P-16425/88; A-856)	790.6284	am (P-16425/88; A-856)
790.4660	am (P-16425/88; A-856) (P-3015)	790.6370	am (P-12991/88; A-856) (P-3015)
790.4670	am (E-3108)	790.6375	n (P-16425/88; A-856)
790.4680	am (P-12991/88; A-856)	790.6375	am (P-16425/88; A-856)
790.4720	am (P-12991/88; P-16425/88; A-856)	790.6445	am (P-16425/88; A-856)
790.4740	am (P-3015) (E-3108)	790.6450	am (P-16425/88; A-856) (P-3015)
790.4820	am (P-16425/88; A-856)	790.6452	am (P-16425/88; A-856)
790.4960	n (P-16425/88; A-856)	790.6454	n (P-16425/88; A-856)
790.5060	am (P-16425/88; A-856)	790.6456	am (P-12991/88; P-16425/88; A-856)
790.5140	am (P-12991/88; P-16425/88; A-856)	790.6540	am (P-3015) (E-3108)
790.5180	am (P-16425/88; A-856)	790.6540	am (P-16425/88; A-856)
790.5220	am (P-12991/88; A-856) (E-3108)	790.6580	am (P-16425/88; A-856)

TITLE 77 (CONT'D)		TITLE 77 (CONT'D)	
790.6621	n (P-16425/88; A-856)	790.9084	am (P-12991/88; A-856) (P-3015)
790.6670	am (P-16425/88; A-856)	790.9100	am (P-3015) (E-3108)
790.6740	am (P-16425/88; A-856)	790.9140	am (P-12991/88; A-856) (P-3015)
790.6780	am (P-16425/88; A-856) (P-3015) (E-3108)	790.9220	am (P-3015) (E-3108)
790.6860	am (P-3015) (E-3108)	790.9320	am (P-3015) (E-3108)
790.6875	am (P-12991/88; A-856) (P-3015)	790.9380	am (P-3015) (E-3108)
790.6885	am (P-3015) (E-3108)	790.9475	am (P-3015) (E-3108)
790.6895	n (P-3015) (E-3108)	790.9486	am (P-12991/88; P-16425/88; A-856)
790.6946	am (P-16425/88; A-856)	790.9500	am (P-12991/88; P-16425/88; A-856)
790.6960	n (P-12991/88; P-16425/88; A-856)	790.9530	am (P-12991/88; P-16425/88; A-856)
790.6980	am (P-3015) (E-3108)	830.10	am (P-3325/88; A-2090)
790.7020	am (P-16425/88; A-856)	830.20	n (P-3325/88; A-2090)
790.7140	am (P-16425/88; A-856)	830.100	am (P-3325/88; A-2090)
790.7180	am (P-16425/88; A-856)	830.110	am (P-3325/88; A-2090)
790.7181	n (P-16425/88; A-856)	830.120	am (P-3325/88; A-2090)
790.7223	am (P-3015) (E-3108)	830.130	am (P-3325/88; A-2090)
790.7260	am (P-16425/88; A-856)	830.140	am (P-3325/88; A-2090)
790.7265	n (P-16425/88; A-856)	830.150	r (P-3325/88; A-2090)
790.7280	am (P-16425/88; A-856) (P-3015)	830.160	r (P-3325/88; A-2090)
790.7288	n (P-16425/88; A-856)	830.170	r (P-3325/88; A-2090)
790.7288	am (P-3015) (E-3108)	830.180	am (P-3325/88; A-2090)
790.7400	am (P-12991/88; A-856) (P-3015)	830.190	am (P-3325/88; A-2090)
790.7500	am (P-3015) (E-3108)	830.200	am (P-3325/88; A-2090)
790.7540	am (P-12991/88; P-16425/88; A-856)	830.210	n (P-3325/88; A-2090)
790.7700	am (P-16425/88; A-856) (P-3015)	830.220	n (P-3325/88; A-2090)
790.7820	am (P-3015) (E-3108)	830.230	n (P-3325/88; A-2090)
790.7828	am (P-12991/88; P-16425/88; A-856)	830.240	am (P-3325/88; A-2090)
790.8020	am (P-3015) (E-3108)	830.250	am (P-3325/88; A-2090)
790.8140	am (P-3015) (E-3108)	830.260	am (P-3325/88; A-2090)
790.8248	r (P-3015) (E-3108)	830.270	am (P-3325/88; A-2090)
790.8260	am (P-16425/88; A-856)	830.280	r (P-3325/88; A-2090)
790.8378	am (P-16425/88; A-856)	830.290	n (P-3325/88; A-2090)
790.8380	am (P-16425/88; A-856)	830.300	n (P-3325/88; A-2090)
790.8420	am (P-3015) (E-3108)	830.310	n (P-3325/88; A-2090)
790.8580	am (P-16425/88; A-856) (P-3015)	830.315	r (P-3325/88; A-2090)
790.8700	am (P-16425/88; A-856) (P-3015)	830.400	am (P-3325/88; A-2090)
790.8724	am (P-3015) (E-3108)	830.410	am (P-3325/88; A-2090)
790.8740	am (P-3015) (E-3108)	830.420	r (P-3325/88; A-2090)
790.8900	am (P-16425/88; A-856) (P-3015)	830.430	am (P-3325/88; A-2090)
790.8940	am (E-3108)	830.440	am (P-3325/88; A-2090)
790.9020	am (P-12991/88; A-856) (P-3015)	830.450	am (P-3325/88; A-2090)
790.9060	am (P-3015) (E-3108)	830.460	am (P-3325/88; A-2090)
		830.500	am (P-3325/88; A-2090)
		830.510	r (P-3325/88; A-2090)
		830.520	am (P-3325/88; A-2090)
		830.530	am (P-3325/88; A-2090)
		830.540	am (P-3325/88; A-2090)
		830.560	r (P-3325/88; A-2090)
		830.570	r (P-3325/88; A-2090)
		830.600	am (P-3325/88; A-2090)
		830.610	r (P-3325/88; A-2090)
		830.620	am (P-3325/88; A-2090)
		830.630	am (P-3325/88; A-2090)



TITLE 77 (CONT'D)		TITLE 77 (CONT'D)	
830.640	am (P-3325/88; A-2090)	2510.50	am (P-13694/88; A-334)
830.650	am (P-3325/88; A-2090)	TITLE 80	
830.660	r (P-3325/88; A-2090)	250.70	am (P-1921)
830.670	r (P-3325/88; A-2090)	302.190	am (P-1639)
830.700	am (P-3325/88; A-2090)	302.200	am (P-1639)
830.800	n (P-3325/88; A-2090)	302.625	am (P-1639)
830.820	am (P-3325/88; A-2090)	302.800	r (P-15813/88; A-3722)
830.830	n (P-3325/88; A-2090)	302.800	n (P-15813/88; A-3722)
830.840	n (P-3325/88; A-2090)	302.810	r (P-15813/88; A-3722)
830.850	n (P-3325/88; A-2090)	302.810	n (P-15813/88; A-3722)
830.860	n (P-3325/88; A-2090)	302.820	r (P-15813/88; A-3722)
830.870	n (P-3325/88; A-2090)	302.820	n (P-15813/88; A-3722)
830.11.A	n (P-3325/88; A-2090)	302.822	r (P-15813/88; A-3722)
830.11.B	n (P-3325/88; A-2090)	302.822	n (P-15813/88; A-3722)
855.10	am (P-6564/88; A-2768)	302.824	r (P-15813/88; A-3722)
855.20	am (P-6564/88; A-2768)	302.824	n (P-15813/88; A-3722)
855.50	am (P-6564/88; A-2768)	302.825	r (P-15813/88; A-3722)
855.55	n (P-6564/88; A-2768)	302.825	n (P-15813/88; A-3722)
855.60	am (P-6564/88; A-2768)	302.830	r (P-15813/88; A-3722)
855.70	am (P-6564/88; A-2768)	302.830	n (P-15813/88; A-3722)
855.80	am (P-6564/88; A-2768)	302.840	r (P-15813/88; A-3722)
855.130	am (P-6564/88; A-2768)	302.840	n (P-15813/88; A-3722)
855.140	am (P-6564/88; A-2768)	302.841	r (P-15813/88; A-3722)
855.180	am (P-6564/88; A-2768)	302.842	r (P-15813/88; A-3722)
855.220	am (P-6564/88; A-2768)	302.846	r (P-15813/88; A-3722)
855.240	am (P-6564/88; A-2768)	302.846	n (P-15813/88; A-3722)
855.260	am (P-6564/88; A-2768)	302.850	r (P-15813/88; A-3722)
855.270	am (P-6564/88; A-2768)	302.850	n (P-15813/88; A-3722)
855.275	n (P-6564/88; A-2768)	302.860	r (P-15813/88; A-3722)
855.280	am (P-6564/88; A-2768)	302.860	n (P-15813/88; A-3722)
855.290	am (P-6564/88; A-2768)	302.863	r (P-15813/88; A-3722)
855.300	am (P-6564/88; A-2768)	302.863	n (P-15813/88; A-3722)
855.330	n (P-6564/88; A-2768)	310.30	am (P-1296)
855.340	n (P-6564/88; A-2768)	310.230	am (P-1296)
855.345	n (P-6564/88; A-2768)	310.280	am (P-1296)
855.350	n (P-6564/88; A-2768)	310.290	am (P-1296)
855.355	n (P-6564/88; A-2768)	310.320	am (P-1296)
855.360	n (P-6564/88; A-2768)	310.Ap. A	am (P-20584/88; RC-1254)
855.Ap. A	am (P-6564/88; A-2768)	310.Tb. F	am (P-2892)
II. B	am (P-6564/88; A-2768)	Tb. P	am (P-1327)
855.Ap. B	am (P-6564/88; A-2768)	1100.10	am (P-1327)
II. A	am (P-6564/88; A-2768)	1100.20	am (P-1327)
II. B	am (P-6564/88; A-2768)	1100.30	am (P-1327)
II. C	am (P-6564/88; A-2768)	1100.40	am (P-1327)
II. D	am (P-6564/88; A-2768)	1100.50	am (P-1327)
II. E	am (P-6564/88; A-2768)	1100.70	am (P-1327)
II. F	am (P-6564/88; A-2768)	1100.80	am (P-1327)
II. G	am (P-6564/88; A-2768)	1100.90	am (P-1327)
II. H	am (P-6564/88; A-2768)	1100.100	am (P-1327)
II. I	am (P-6564/88; A-2768)	1105.10	am (P-1335)
855.Ap. C	n (P-6564/88; A-2768)	1105.20	am (P-1335)
II. A	n (P-6564/88; A-2768)	1105.30	am (P-1335)
II. B	n (P-6564/88; A-2768)	1105.40	am (P-1335)
II. C	n (P-6564/88; A-2768)	1105.50	am (P-1335)
II. D	n (P-6564/88; A-2768)	1105.60	am (P-1335)
II. E	n (P-6564/88; A-2768)	1105.70	am (P-1335)
II. F	n (P-6564/88; A-2768)	1105.80	am (P-1335)

TITLE 80 (CONT'D)		TITLE 80 (CONT'D)	
1105.100	am (P-1335)	2110.320	am (P-1) (E-214)
1105.110	am (P-1335)	2110.330	am (P-1) (E-214)
1105.120	am (P-1335)	2110.510	am (P-1) (E-214)
1105.130	r (P-1335)	2110.530	am (P-1) (E-214)
1105.140	am (P-1335)	2150.1	n (P-10285/88; A-2402)
1105.150	am (P-1335)	2150.2	n (P-10285/88; A-2402)
1105.160	am (P-1335)	2150.5	n (P-10285/88; A-2402)
1105.170	am (P-1335)	2650.1	n (P-6871/88; O-1256; R-3411; A-3330)
1105.220	am (P-1335)	2650.5	n (P-6871/88; O-1256; R-3411; A-3330)
1110.40	am (P-1335)	2650.10	n (P-6871/88; O-1256; R-3411; A-3330)
1110.50	am (P-1335)	2650.15	n (P-6871/88; O-1256; R-3411; A-3330)
1110.60	am (P-1335)	2650.20	n (P-6871/88; O-1256; R-3411; A-3330)
1110.70	r (P-1335)	2650.25	n (P-6871/88; O-1256; R-3411; A-3330)
1110.70	n (P-1335)	2650.30	n (P-6871/88; O-1256; R-3411; A-3330)
1110.80	am (P-1335)	2700.200	am (P-253) (E-629)
1110.90	am (P-1335)	2700.440	am (P-253) (E-629)
1110.100	am (P-1335)	2700.620	am (P-253) (E-629)
1110.110	am (P-1335)	2700.630	am (P-253) (E-629)
1110.140	am (P-1335)	2700.650	am (P-253) (E-629)
1110.150	am (P-1335)	2700.700	am (P-253) (E-629)
1110.160	am (P-1335)	2700.710	am (P-253) (E-629)
1110.170	am (P-1335)	2700.720	am (P-253) (E-629)
1110.180	n (P-1335)	2700.735	n (P-253) (E-629)
1120.20	am (P-1379)	2700.740	am (P-253) (E-629)
1120.30	am (P-1379)	2700.750	am (P-253) (E-629)
1120.40	am (P-1379)	2700.820	am (P-253) (E-629)
1120.50	am (P-1379)	2700.920	am (P-253) (E-629)
1120.70	n (P-1379)	2700.Ap. A	am (P-253) (E-629)
1125.10	am (P-16375/88; A-1784)	Ex. E	am (P-253) (E-629)
1125.20	am (P-16375/88; A-1784)	Ex. F	am (P-253) (E-629)
1125.30	am (P-16375/88; A-1784)	TITLE 83	
1125.50	r (P-16375/88; A-1784)	281.30	am (P-1647)
1125.70	am (P-16375/88; A-1784)	281.90	am (P-1647)
1125.80	am (P-16375/88; A-1784)	281.100	am (P-1647)
1125.90	r (P-16375/88; A-1784)	281.Ex. D	am (P-1647)
1570.40	am (P-14122/88; O-22492/88; R-1626; A-1577)	281.Ex. E	am (P-1647)
1570.60	r (P-14122/88; O-22492/88; R-1626; A-1577)	435.10	r (P-3)
1570.70	am (P-14122/88; O-22492/88; R-1626; A-1577)	435.20	r (P-3)
1570.80	am (P-14122/88; O-22492/88; R-1626; A-1577)	435.30	r (P-3)
1570.90	am (P-14122/88; O-22492/88; R-1626; A-1577)	435.40	r (P-3)
1570.100	am (P-14122/88; O-22492/88; R-1626; A-1577)	435.50	r (P-3)
1570.110	r (P-14122/88; O-22492/88; R-1626; A-1577)	435.60	r (P-3)
1570.150	r (P-14122/88; O-22492/88; R-1626; A-1577)	440.10	n (P-3162/88; A-296)
1570.160	am (P-14122/88; O-22492/88; R-1626; A-1577)	440.100	n (P-3162/88; A-296)
2110.30	am (P-1) (E-214)	440.200	n (P-3162/88; A-296)
		440.210	n (P-3162/88; A-296)
		440.220	n (P-3162/88; A-296)



TITLE 83 (CONT'D)		TITLE 86 (CONT'D)	
440.240	n (P-3162/88; A-296)	610.125	n (P-1460)
440.300	n (P-3162/88; A-296)	610.130	n (P-1460)
440.310	n (P-3162/88; A-296)	610.135	n (P-1460)
440.400	n (P-3162/88; A-296)	620.101	n (P-1468)
440.410	n (P-3162/88; A-296)	620.105	n (P-1468)
440.420	n (P-3162/88; A-296)	620.110	n (P-1468)
440.430	n (P-3162/88; A-296)	620.115	n (P-1468)
440.500	n (P-3162/88; A-296)	620.120	n (P-1468)
440.510	n (P-3162/88; A-296)	630.101	n (P-1473)
440.520	n (P-3162/88; A-296)	630.105	n (P-1473)
440.600	n (P-3162/88; A-296)	630.110	n (P-1473)
440.610	n (P-3162/88; A-296)	630.115	n (P-1473)
440.620	n (P-3162/88; A-296)	630.120	n (P-1473)
440.640	n (P-3162/88; A-296)	630.125	n (P-1473)
440.650	n (P-3162/88; A-296)	630.130	n (P-1473)
440.660	n (P-3162/88; A-296)	630.135	n (P-1473)
440.700	n (P-3162/88; A-296)	640.101	n (P-1485)
440.800	n (P-3162/88; A-296)	640.105	n (P-1485)
440.810	n (P-3162/88; A-296)	640.110	n (P-1485)
440.900	n (P-3162/88; A-296)	640.115	n (P-1485)
440.910	n (P-3162/88; A-296)	640.120	n (P-1485)
505.10	am (P-1686)	640.125	n (P-1485)
595.120	am (P-16309/88; A-2036)	640.130	n (P-1485)
		640.135	n (P-1485)
		650.101	n (P-1493)
		650.105	n (P-1493)
		650.110	n (P-1493)
		650.115	n (P-1493)
		650.120	n (P-1493)
TITLE 86		TITLE 89	
100.3700	am (P-2383)	101.1	n (P-20694/88; A-3897)
100.5706	am (P-768)	102.1	n (P-20743/88; A-3940)
151.101	n (P-1498)	103.1	n (P-20757/88; A-3954)
151.105	n (P-1498)	103.20	am (P-2958)
151.110	n (P-1498)	104.202	am (P-2958)
151.115	n (P-1498)	104.208	am (P-2958)
432.100	n (P-1502/78; A-191)	104.210	am (P-2958)
432.110	n (P-1502/78; A-191)	104.212	am (P-2958)
432.120	n (P-1502/78; A-191)	104.221	am (P-2958)
432.130	n (P-1502/78; A-191)	104.221	am (P-2958)
432.140	n (P-1502/78; A-191)	104.230	am (P-2958)
432.150	n (P-1502/78; A-191)	104.231	am (P-2958)
432.160	n (P-1502/78; A-191)	104.235	am (P-2958)
432.170	n (P-1502/78; A-191)	104.243	am (P-2958)
432.180	n (P-1502/78; A-191)	104.244	am (P-2958)
432.190	n (P-1502/78; A-191)	104.247	am (P-2958)
432.200	n (P-1502/78; A-191)	104.257	am (P-2958)
530.165	am (P-11104/88; A-1589)	104.260	am (P-2958)
600.101	n (P-1448)	104.270	am (P-2958)
600.105	n (P-1448)	104.274	am (P-2958)
600.110	n (P-1448)	104.280	am (P-2958)
600.115	n (P-1448)	104.285	am (P-2958)
600.120	n (P-1448)	104.290	am (P-2958)
600.125	n (P-1448)	104.800	am (P-20747/88; A-3944)
600.130	n (P-1448)	110.1	n (P-20670/88; A-3836)
600.135	n (P-1448)	110.10	am (P-2931)
610.101	n (P-1460)		
610.105	n (P-1460)		
610.110	n (P-1460)		
610.115	n (P-1460)		
610.120	n (P-1460)		

TITLE 89 (CONT'D)		TITLE 89 (CONT'D)	
111.1	n (P-20674/88; A-3840)	111.1	n (P-20674/88; A-3840)
111.101	am (P-15920/88; A-85)	111.101	am (P-15920/88; A-85)
112.40	am (P-1948)	112.40	am (P-1948)
112.98	am (P-2236)	112.98	am (P-2236)
112.252	am (P-15905/88; A-70)	112.252	am (P-15905/88; A-70)
112.253	am (P-15905/88; A-70)	112.253	am (P-15905/88; A-70)
112.254	am (P-15905/88; A-70)	112.254	am (P-15905/88; A-70)
113.142	am (P-15898/88; A-63)	113.142	am (P-15898/88; A-63)
113.253	am (E-3402)	113.253	am (E-3402)
113.260	am (E-3402)	113.260	am (E-3402)
114.5	n (P-20967/88; A-3900)	114.5	n (P-20967/88; A-3900)
114.127	am (P-14996/88; A-89)	114.127	am (P-14996/88; A-89)
114.128	am (P-17621/88; A-1546)	114.128	am (P-17621/88; A-1546)
114.351	am (P-15924/88; A-89)	114.351	am (P-15924/88; A-89)
114.352	am (P-15924/88; A-89)	114.352	am (P-15924/88; A-89)
114.353	am (P-15924/88; A-89)	114.353	am (P-15924/88; A-89)
115.1	n (P-20735/88; A-3932)	115.1	n (P-20735/88; A-3932)
115.10	am (P-2702)	115.10	am (P-2702)
115.30	am (P-2702)	115.30	am (P-2702)
116.10	n (P-20683/88; A-3847)	116.10	n (P-20683/88; A-3847)
117.1	n (P-20739/88; A-3936)	117.1	n (P-20739/88; A-3936)
118.300	n (P-20753/88; A-3950)	118.300	n (P-20753/88; A-3950)
120.1	n (P-20705/88; A-3908)	120.1	n (P-20705/88; A-3908)
120.40	am (P-17633/88; A-2081)	120.40	am (P-17633/88; A-2081)
120.70	am (P-3281)	120.70	am (P-3281)
120.72	am (P-3281)	120.72	am (P-3281)
120.74	n (P-3281)	120.74	n (P-3281)
120.76	n (P-3281)	120.76	n (P-3281)
120.382	am (P-15938/88; A-116)	120.382	am (P-15938/88; A-116)
121.58	am (P-3541)	121.58	am (P-3541)
121.62	am (P-3541)	121.62	am (P-3541)
121.135	n (P-20686/88; A-3890)	121.135	n (P-20686/88; A-3890)
130.500	n (P-20649/88; A-3831)	130.500	n (P-20649/88; A-3831)
140.16	am (P-2937)	140.16	am (P-2937)
140.17	am (P-2937)	140.17	am (P-2937)
140.19	am (P-12976/88; A-3917)	140.19	am (P-12976/88; A-3917)
140.21	n (P-3295)	140.21	n (P-3295)
140.100	am (P-16421/88; O-1259; M-3195; A-3069)	140.100	am (P-16421/88; O-1259; M-3195; A-3069)
140.350	am (P-5958/88; A-3351)	140.350	am (P-5958/88; A-3351)
140.362	am (P-5958/88; A-3351)	140.362	am (P-5958/88; A-3351)
140.363	am (P-5958/88; A-3351)	140.363	am (P-5958/88; A-3351)
140.364	r (P-5958/88; A-3351)	140.364	r (P-5958/88; A-3351)
140.364	n (P-5958/88; A-3351)	140.364	n (P-5958/88; A-3351)
140.367	am (P-5958/88; A-3351)	140.367	am (P-5958/88; A-3351)
140.369	am (P-5958/88; A-3351)	140.369	am (P-5958/88; A-3351)
140.370	am (P-5958/88; A-3351)	140.370	am (P-5958/88; A-3351)
140.372	am (P-5958/88; A-3351)	140.372	am (P-5958/88; A-3351)
140.373	am (P-5958/88; A-3351)	140.373	am (P-5958/88; A-3351)
140.376	r (P-5958/88; A-3351)	140.376	r (P-5958/88; A-3351)
140.376	am (P-17172/88; A-2475)	140.376	am (P-17172/88; A-2475)
140.441	am (P-17172/88; A-2475)	140.441	am (P-17172/88; A-2475)
140.443	am (P-17172/88; A-2475)	140.443	am (P-17172/88; A-2475)
140.445	am (P-17172/88; O-1263; R-2538; A-2475)	140.445	am (P-17172/88; O-1263; R-2538; A-2475)
140.447	am (P-17172/88; A-2475)	140.447	am (P-17172/88; A-2475)



TITLE 89 (CONT'D)		TITLE 89 (CONT'D)	
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160.10	am (P-1396)	431.7	am (P-11922/88; A-2407)
160.100	n (P-1396)	431.11	am (P-11922/88; O-22457/88; R-2532; A-2407)
160.110	n (P-1396)		
160.120	n (P-1396)	431.12	# (P-11922/88; A-2407)
160.130	n (P-1396)	437.4	am (P-13752/88; A-3339)
160.140	n (P-1396)	437.8	# (P-13752/88; A-3339)
160.150	n (P-1396)	437.8	n (P-13752/88; A-3339)
160.160	n (P-1396)	437.9	# (P-13752/88; A-3339)
165.1	n (P-20679/88; A-3843)	437.9	am (P-13752/88; A-3339)
230.360	am (P-14777/88; A-2015)	510.10	n (P-3036)
230.362	am (P-14777/88; A-2015)	510.10	r (P-3020)
230.365	am (P-14777/88; A-2015)	510.20	n (P-3036)
230.510	n (P-12137/88; A-3054)	510.20	r (P-3020)
230.520	n (P-12137/88; A-3054)	510.30	n (P-3036)
230.530	n (P-12137/88; A-3054)	510.30	r (P-3020)
230.540	n (P-12137/88; A-3054)	510.40	n (P-3036)
230.550	n (P-12137/88; A-3054)	510.40	r (P-3020)
230.560	n (P-12137/88; A-3054)	510.50	n (P-3036)
230.570	n (P-12137/88; A-3054)	510.50	r (P-3020)
230.580	n (P-12137/88; A-3054)	510.60	n (P-3036)
240.1400	am (P-685)	510.60	r (P-3020)
240.1410	am (P-685)	510.70	n (P-3036)
240.1420	am (P-685)	510.80	n (P-3036)
240.1430	n (P-685)	510.90	n (P-3036)
240.1440	n (P-685)	510.100	n (P-3036)
240.1450	n (P-685)	510.110	n (P-3036)
240.1700	n (P-685)	510.120	n (P-3020)
240.1705	n (P-685)	510.130	r (P-3020)
240.1710	n (P-685)	510.140	r (P-3020)
240.1715	n (P-685)	510.210	r (P-3020)
240.1718	n (P-685)	510.220	r (P-3020)
240.1720	n (P-685)	510.230	r (P-3020)
240.1722	n (P-685)	510.240	r (P-3020)
240.1725	n (P-685)	510.250	r (P-3020)
240.1730	n (P-685)	510.260	r (P-3020)
240.1735	n (P-685)	510.270	r (P-3020)
240.1737	n (P-685)	510.280	r (P-3020)
240.1738	n (P-685)	510.290	r (P-3020)
240.1739	n (P-685)	510.300	r (P-3020)
300.20	am (P-11953/88; A-2419)	510.310	r (P-3020)
300.30	am (P-11953/88; A-2419)	510.320	r (P-3020)
300.90	am (P-11953/88; A-2419)	510.410	r (P-3020)
300.100	am (P-11953/88; A-2419)	510.420	r (P-3020)
300.110	am (P-11953/88; O-22472/88; R-2535; A-2419)	530.5	n (P-3565/88; A-141)
		530.10	am (P-3565/88; A-141)
		530.20	r (P-3565/88; A-141)
		530.100	r (P-3565/88; A-141)
		530.105	r (P-3565/88; A-141)
		530.110	am (P-3565/88; A-141)
		530.120	r (P-3565/88; A-141)
		530.130	am (P-3565/88; A-141)
		530.140	am (P-3565/88; A-141)
		530.150	r (P-3565/88; A-141)
		530.200	n (P-3565/88; A-141)
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562.30	am (P-4685/88; A-2866)	451.60	n (P-16536/88; W-2882)
567.10	am (P-281)	451.70	n (P-16536/88; W-2882)
587.50	am (P-2192/88; A-1850)	451.80	n (P-16536/88; W-2882)
587.110	am (P-2192/88; A-1850)	451.90	n (P-16536/88; W-2882)
587.130	n (P-2192/88; A-1850)	451.100	n (P-16536/88; W-2882)
587.500	am (P-2192/88; A-1850)	451.110	n (P-16536/88; W-2882)
592.45	n (P-2092/88; A-1573)	451.120	n (P-16536/88; W-2882)
597.20	am (P-2197/88; A-1568)	451.130	n (P-16536/88; W-2882)
597.150	n (P-2197/88; A-1568)	451.140	n (P-16536/88; W-2882)
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700.300	am (P-10409/88; A-3101)	451.170	n (P-16536/88; W-2882)
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895.20	n (P-3310)	451.190	n (P-16536/88; W-2882)
895.30	n (P-3310)	451.200	n (P-16536/88; W-2882)
895.40	n (P-3310)	451.210	n (P-16536/88; W-2882)
895.50	n (P-3310)	451.220	n (P-16536/88; W-2882)
895.60	n (P-3310)	451.230	n (P-16536/88; W-2882)
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